

**MILLER  
& MARTIN**  
PLLC  
ATTORNEYS AT LAW

1200 ONE NASHVILLE PLACE  
150 FOURTH AVENUE, NORTH  
NASHVILLE, TENNESSEE 37219-2433  
(615) 244-9270  
FAX (615) 256-8197 OR (615) 744-8466

RECEIVED  
2004 MAY 13 PM 4:24  
T.R.A. DOCKET  
Melvin J. Malone  
Direct Dial (615) 744-8572  
mmalone@millermartin.com

May 13, 2004

**VIA HAND DELIVERY**

Honorable Kim Beals, Esq., Hearing Officer  
c/o Sharla Dillon, Docket & Records Manager  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee, 37243-0505

***RE: Petition of Cellco Partnership d/b/a Verizon Wireless  
For Arbitration Under the Telecommunications Act of 1996  
TRA Consolidated Docket # 03-00585***


Dear Hearing Officer Beals:

Enclosed please find one (1) original and fourteen (14) copies of the CMRS Providers' Motion to Compel Responses to Interrogatories.

Also enclosed is an additional copy of the Motion to Compel to be "Filed Stamped" for our records.

If you have any questions or need additional information, please let me know.

Respectfully,

  
Melvin J. Malone

MJM:cgb  
Enclosure

Honorable Kim Beals, Esq., Hearing Officer  
May 13, 2004  
Page 2

cc: William T. Ramsey, Esq.  
Stephen G. Kraskin, Esq.  
Henry Walker, Esq.  
Paul Walters, Jr.  
Mark J. Ashby  
Suzanne Toller, Esq.  
Beth K. Fujimoto, Esq.  
Edward Phillips  
Charles W. McKee  
Elaine Critides  
Dan Menser  
Marin Fettman  
Leon M. Bloomfield

**BEFORE THE  
TENNESSEE REGULATORY AUTHORITY**

Petition of:

Cellco Partnership d/b/a Verizon Wireless  
For Arbitration Under the  
Telecommunications Act of 1996

Consolidated Docket  
No. 03-00585

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**CMRS PROVIDERS' MOTION TO COMPEL  
RESPONSES TO INTERROGATORIES**

Petitioners Cellco Partnership d/b/a Verizon Wireless ("Verizon Wireless"), AT&T Wireless PCS, LLC d/b/a AT&T Wireless ("AT&T Wireless"); BellSouth Mobility LLC, BellSouth Personal Communications LLC and Chattanooga MSA Limited Partnership, collectively d/b/a Cingular Wireless ("Cingular Wireless"); Sprint Spectrum L.P. d/b/a Sprint PCS ("Sprint PCS"); and T-Mobile USA, Inc. ("T-Mobile"), collectively referred to herein as the CMRS Providers, hereby seek an Order from the Tennessee Regulatory Authority ("TRA"), requiring the members of the Rural Coalition of Small LECs and Cooperatives ("Coalition") to answer certain interrogatories propounded by the CMRS Providers.

**BACKGROUND**

For the majority of the interrogatories served by the CMRS Providers, the Coalition has either failed to provide a meaningful answer or else has redefined terms in a manner inconsistent with applicable law, then given a non-responsive answer based upon the inappropriate definition.

Specifically, the Coalition has attempted to use its legal position as grounds for refusing to provide the factual information necessary for the TRA to resolve this arbitration. For example, the Coalition has yet to propose rates for the exchange of traffic with the CMRS Providers or produce any cost support whatever on the basis that the CMRS Providers have not requested direct interconnection and thus the Coalition members do not exchange "Telecommunications Traffic" with those carriers. (See Category One discussion below.) Aside from the fact the Coalition's position is at best disingenuous, the TRA's ability to resolve a dispute over transport and termination rates is severely circumscribed when the party bearing the burden of proof refuses to propose a rate or provide cost support.

Under TRA Rules, Chapter 1220-1-2-.11, discovery in a contested case "shall be sought and effectuated in accordance with the Tennessee Rules of Civil Procedure." Under Tenn. Civ. Proc. Rule 26.02(1), "Parties may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action . . ." The phrase "relevant to the subject matter involved in the pending action" has been construed to encompass any matter that bears on, or that reasonably could lead to other matters that could bear on, any issue that is or may be in the case. *Price v. Mercury Supply Co.*, 682 S.W.2d 924 (Tenn. Ct. App. 1984).

In total, the Coalition has effectively failed to answer, or at best given incomplete or non-responsive answers, to at least 22 of the 38 interrogatories propounded by the CMRS Providers. On April 27, 2004, the CMRS Providers sent a detailed letter to Coalition Counsel regarding their inadequate responses and requested amended and responsive answers <sup>1</sup> However, instead of providing any supplemental responses, on May 5, the Coalition made an offer (communicated by telephone) to discuss discovery issues but took the position they could not do so until May 18,

2004 (almost three weeks after receiving the CMRS letter and only two weeks before direct testimony is due under the current schedule) Although the CMRS Providers have expressed their willingness to discuss any outstanding discovery issues on the 18<sup>th</sup>, they also feel compelled to file this Motion to Compel at this time in order to ensure that these issues can be addressed in a timely manner and that, if possible, the current procedural schedule can be maintained in the event the parties are unable to resolve their differences by themselves.<sup>2</sup>

An arbitration pursuant to the 1996 Act must be resolved within nine months of the initial request for negotiation, absent agreement by the parties to waive the deadline. 47 U.S.C. § 252(b)(4)(C). Even when the deadline is waived (as it has been in this proceeding), arbitration schedules are aggressive, and the time available for discovery limited. Direct testimony is due in this matter June 3, 2004. If the parties do not even discuss discovery disputes until May 18, only two weeks would remain before testimony is due. If disputes remain after a May 18 conference, the likelihood of resolution prior to June 3 is virtually nil. Accordingly, the CMRS Providers respectfully submit this Motion to Compel and seek an expedited ruling and/or hearing so that the parties can maintain the current procedural schedule set by the Hearing Officer.<sup>3</sup>

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(..continued)

<sup>1</sup> A copy of the CMRS Providers' letter dated April 27, 2004 is attached as Exhibit A

<sup>2</sup> In addition to the letter of April 27, 2004, a series of correspondence concerning discovery issues has been exchanged between the CMRS Providers and the Rural Coalition. Copies of that correspondence--dated May 7, May 11 and May 13--are attached as Exhibits B, C and D

<sup>3</sup> The CMRS Providers have notified the Coalition that they remain willing to discuss any and all discovery disputes with the Coalition on May 18<sup>th</sup> and to modify and/or withdraw this motion if appropriate

Rather than listing and discussing separately each interrogatory that the Coalition has failed to answer, this Motion will group the Interrogatories into categories and then discuss the principles applicable to each category, discussing specific interrogatories as appropriate.<sup>4</sup>

**CATEGORY ONE: NON-RESPONSIVE ANSWERS BASED ON  
INAPPROPRIATE DEFINITION OF "TELECOMMUNICATIONS TRAFFIC"**

The Coalition claims that in the absence of a request for direct interconnection, traffic exchanged between the Coalition and CMRS Providers is not "Telecommunications Traffic" as that term is defined in 47 C.F.R. § 51.701(b). Thus, in response to Interrogatory 2 (a simple request for production of any written Coalition interconnection agreements not filed with the TRA), the Coalition states:

Coalition members do not have agreements for the exchange of Telecommunications Traffic that are not filed with the TRA. Traffic that originates or terminates on the network of a Coalition member may be eligible to be treated as "Telecommunications Traffic," as that term is used in 47 CFR § 51.701(b) of the Subpart H Reciprocal Compensation Rules of the Federal Communications Commission ("FCC"). Any such traffic, however, is not treated as subject to these rules in the absence of a request for interconnection pursuant to Section 251(b)(5) of the Communications Act (47 USC § 252(b)(5).) For example, the CMRS Providers currently transmit traffic that originates and terminates within the MTA to Coalition members. Although this traffic may be eligible to be treated as "Telecommunications Traffic," the CMRS Providers have elected to transmit this traffic pursuant to an indirect interconnection arrangement via BellSouth. Consequently, the traffic is not currently subject to any agreement that addresses the treatment of "Telecommunications Traffic" under the FCC's Rules.

According to the Coalition, because the CMRS Providers transmit traffic to the Coalition through indirect interconnection with BellSouth, such traffic is not "Telecommunications

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<sup>4</sup> Copies of the CMRS Providers' Interrogatories and the Coalition's Responses are attached as Collective Exhibit E

Traffic" under FCC regulations, and thus no interconnection agreements exist between the Coalition members and CMRS Providers concerning that traffic

The Coalition strategy of relying on legal positions as a means to avoid responding to discovery is also illustrated by the Coalition response to Interrogatory 9, which simply asks the Coalition to state the reciprocal compensation rates that each member company proposes in this arbitration for both direct and indirect interconnection:

The Coalition Members have not proposed rates for the transport and termination of "Telecommunications Traffic." In accordance with the applicable FCC rules, the establishment of a rate requires the establishment of an "interconnection point between the two carriers." (47 CFR §51.701(c)). Neither in the collective negotiations that preceded the filing of the arbitration petitions, nor in the arbitration has any CMRS Provider requested the establishment of an interconnection point on the network of a Coalition Member.

By employment of this disingenuous strategy, the Coalition refuses to answer any interrogatories involving questions of costs, rates or terms and conditions. In effect, the Coalition says, "The CMRS Providers have not requested direct interconnection; therefore, we don't have to answer interrogatories involving 'Telecommunications Traffic,' because we don't exchange such traffic with the CMRS Providers "

Thus, the Coalition refuses to answer the following interrogatories, instead simply referring to the "non-answers" given in response to Interrogatories 2 and/or 9.<sup>5</sup>

Interrogatory 3. Seeks the identity of carriers with whom Coalition members have exchanged Telecommunications Traffic either directly or indirectly during the past 12 months without the benefit of a written agreement. (Issues 1 and 2 )

Interrogatory 4. Seeks the transport and termination rates applicable to the carriers identified in Interrogatory 2. (Issue 8 )

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<sup>5</sup> The arbitration issue (as listed in the Joint Issues Matrix) to which each listed interrogatory applies is given in parentheses

Interrogatory 10. Asks how transport and termination rates are calculated for each carrier identified in Interrogatory 9. (Issue 8.)

Interrogatory 11. Asks for cost studies and supporting data for each carrier identified in Interrogatory 9. (Issue 8.)

Interrogatory 12. Asks if any rates proposed for the CMRS Providers have been approved by the TRA (Issue 8.)

Interrogatory 24. Asks if any Coalition member is currently sending Telecommunications Traffic to any CMRS Provider through a BellSouth tandem (Issues 1 & 2.)

Interrogatory 25. Asks if traffic sent by a Coalition member to a CMRS Provider through a BellSouth tandem is dialed by the landline customer on a non-toll basis. (Issue 12A.)

Interrogatory 26. Ask if any Coalition member sends traffic to a carrier other than a CMRS Provider through a BellSouth tandem, and if so, whether such traffic is dialed by the landline customer on a non-toll basis. (Issue 12A.)

Interrogatory 36. Asks if the Coalition believes reciprocal compensation obligations apply to Telecommunications Traffic from a Coalition member to a CMRS Provider that is handed off to an interexchange carrier. (Issue 2.)

The Coalition's refusal to answer these obviously relevant interrogatories should not be condoned by the TRA. "Telecommunications Traffic" is explicitly defined in FCC regulations, and the definition is not dependent upon a request for interconnection (whether a request for direct or indirect interconnection) or upon the existence of an interconnection agreement. 47 CFR § 51.701(b)(2) defines "Telecommunications Traffic" as "telecommunications traffic exchanged between a LEC and a CMRS provider that, at the beginning of the call, originates and terminates within the same Major Trading Area, as defined in § 24.202(a) of this chapter." Thus, all intraMTA calls from Coalition customers to CMRS providers' customers, and vice-versa, are considered Telecommunications Traffic. The method by which a call is delivered or the status of interconnection negotiations between the respective customer's carriers is irrelevant

Accordingly, the CMRS Providers request that the Coalition be compelled to answer each



interrogatory listed above, including Interrogatories 2 and 9, without reliance on the Coalition's narrow and otherwise flawed definition of "Telecommunications Traffic."

## **CATEGORY TWO: REFUSAL TO PROVIDE COST DATA.**

One of the major issues in this arbitration is the appropriate transport and termination rate under 47 CFR § 51.705 for each Coalition member.<sup>6</sup> The burden is on each Coalition member to provide data sufficient to support its proposed rate. 47 CFR §51.505 (e) requires an incumbent LEC to "prove to the state commission that the rates for each element it offers do not exceed the forward-looking economic cost per unit of providing the element, using a cost study that complies with the methodology set forth in this section and §51.511 of this part." The regulation requires each Coalition member to present its own cost study. The regulation does not allow one study for multiple companies, nor does it allow a single rate to be averaged among several companies.

47 CFR § 51.505(e)(2) specifically requires "a written factual record that is sufficient for purposes of review." It also requires a cost study to be included in the record of this proceeding if the cost study is considered by the TRA in establishing transport and termination rates.

Despite these requirements, Coalition members refuse to answer CMRS Providers' interrogatories involving transport and termination costs.

### **Interrogatory 11**

Interrogatory 11, for example, requests copies of all "cost models, cost inputs, and cost assumptions" associated with the transport and termination rate proposed by each Coalition member. As discussed above under Category One, the Coalition refuses to answer this

interrogatory on the erroneous premise that the Coalition is not required to propose rates to CMRS carriers that are not seeking direct interconnection.

The CMRS Providers have been requesting cost data since negotiations started, and the Coalition members have steadfastly refused to provide it. 47 CFR § 51.301(c)(8)(11) states that a "refusal by an incumbent LEC to furnish cost data that would be relevant to setting rates if the parties were in arbitration" constitutes a breach of the duty to negotiate in good faith. The Coalition members, by their refusal to respond to Interrogatory 11, continue to be in breach of such duty.

Accordingly, the CMRS Providers request that each Coalition member be compelled to provide the separate cost data and cost studies required by FCC regulations. If the Coalition members continue to refuse, then the Coalition should be barred from attempting to introduce any such evidence at a later stage in this proceeding.

### **Interrogatory 8**

Interrogatory 7 asks how reciprocal compensation rates were established in the interconnection agreements of the Coalition members. The Coalition responds that "[t]he rates set forth in all such agreements were established through voluntary negotiation between the parties." Interrogatory 8 then asks if the rates described in Interrogatory 7 are forward looking, and requests copies of all supporting cost studies (with documentation).

The Coalition answer to Interrogatory 8 simply refers to the Coalition's answer to Interrogatory 7. Interrogatory 8, however, asks whether the rates so established are based on forward-looking costs. This is a simple question and can be simply answered. The implication

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(..continued)

<sup>6</sup> Issue 8 in the Joint Issues Matrix

of the Coalition's answer is that the negotiated rates were not based on forward-looking costs. If that is the answer, a simple "no" will suffice. If no cost studies were used to support the negotiated rates, a simple "none" will suffice. However, the CMRS providers are clearly entitled to have these questions answered.

### **Interrogatory 30**

Interrogatory 30 requests identification of "all switches owned by you, the wire center location and CLLI codes in which each switch is located, the number of switched residential, business, and public lines served by each switch, and the number of non-switched (e.g., special access, dedicated circuits, etc.) served out of each wire center belonging to you."

The requested information is relevant, because 47 CFR § 51.701(d) defines "termination" to be "the switching of telecommunications traffic at the terminating carrier's end office switch, or equivalent facility, and delivery of such traffic to the called party's premises." 47 CFR § 51.705 requires compensation for transport and termination to be based either on bill and keep principles or on forward-looking economic costs. Number and type of lines served by each Coalition switch is necessary for determining the forward-looking cost of switching.

The Coalition responds:

The Coalition objects to provision of information regarding the number and type of lines served by each switch as such information is irrelevant to the issues regarding the indirect interconnection addressed by the collective negotiations and the arbitration.

The Coalition claims that because the CMRS Providers seek indirect interconnection, switching cost data is irrelevant. The unstated premise is that reciprocal compensation principles do not apply when traffic is exchanged through indirect interconnection.

In overruling the Coalition's Motion to Dismiss, the Hearing Examiner has already held:

"Pursuant to 47 U.S.C. § 251(a)(1), the members of the Coalition, as well as the CMRS providers, are required to interconnect, either directly or indirectly, with all other telecommunications carriers. As local exchange carriers, the Coalition members are also obligated to establish reciprocal compensation arrangements for both the transport and termination of telecommunications traffic.<sup>7</sup>

Accordingly, the information requested in Interrogatory 30 is relevant, because the Coalition's obligation to pay transport and termination charges applies to both direct and indirect interconnection.

### **Interrogatory 31**

Interrogatory 31 requests Coalition members to (i) identify Coalition member tandem and end office switches; (ii) describe how CMRS traffic is received by those switches from BellSouth and (iii) provide cost data relating to the facilities that (a) connect any BellSouth tandem to any Coalition tandem or end office, and (b) are used to transport traffic from any CMRS provider to any coalition member.

The Coalition answers:

"The inquiry regarding how traffic through the BellSouth tandem is handled, and the cost of facilities from the BellSouth tandem to each Independent's network should be directed to BellSouth."

However, the interrogatory does not seek to discover BellSouth's costs. The interrogatory seeks to discover the Coalition's costs.

45 CFR § 51.701(c) defines "transport" as "the transmission and any necessary tandem switching of telecommunications traffic subject to section 251 (b)(5) of the Act *from the interconnection point between the two carriers to the terminating carrier's end office switch that directly serves the called party . . .*" [Emphasis added.] Interrogatory 31 seeks information regarding how the Coalition members receive the traffic from BellSouth and what each Coalition

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<sup>7</sup> Order Denying Motion, April 12, 2004, p 6

member's costs, if any, are for the facilities from the BellSouth tandem to each Coalition member's end office. This information is relevant to determining Coalition transport costs.

### **Interrogatories 37 & 38**

Interrogatory 37 asks for audited financial statements for 2000, 2001, 2002 and 2003. The Coalition objects to this request "as not seeking documents or information relevant to the issues before the Tennessee Regulatory Authority in the arbitration."

Interrogatory 38 requests each Coalition member to provide a copy of its most recent access rate cost study. The Coalition objects, claiming that "[a]ny such studies, if they exist, are irrelevant to the issues in this arbitration."

The requested information is clearly relevant to determining transport and termination rates, which are based, in part, on the cost of plant and support assets. Detailed FCC regulations describe how such costs are to be calculated. In general, switching and transmission equipment and cable costs must reflect currently available inventory at current vendor prices and company-specific discounts. Plant capacity must reflect an efficient network configuration. Utilization levels for end office switching (minutes of use per line) and transport (trunks and minutes of use per trunk) must represent efficient sizing of network elements. The amounts of support assets (land, buildings and housing for switches and transport equipment) must be reasonable and must not reflect embedded costs. Maintenance expenses associated with switching, transmission equipment and cable maintenance expenses must not include provisioning costs associated with end-user service connection charges. Other operating expenses also must not reflect embedded or past operating costs, but rather current costs directly attributable to switching and common transport.

The requested audited financial statements will contain information related to plant and support asset costs. The requested access cost studies will contain information regarding embedded costs--which are not allowed in forward-looking transport and termination rates. All information requested in Interrogatories 37 & 38 is relevant.

### **CATEGORY THREE: FAILURE TO ANSWER DIALING PARITY QUESTIONS**

All local exchange carriers must provide dialing parity. 47 U.S.C. § 251(b)(3). The obligation of the Coalition members to provide dialing parity is an issue in the arbitration (See Issue 12 in the Joint Issues Matrix.) The CMRS Providers have therefore propounded three interrogatories on this issue. The Coalition has failed to give meaningful answers to all three.

#### **Interrogatory 27**

This Interrogatory asks how the Coalition members determine if a call to a CMRS Provider should be sent non-toll 7 digit, non-toll 10 digit, or 1+ toll. The answer is responsive as to 7 digit and 10 digit non-toll dialing. As to how the determination is made between non-toll and 1+ toll, the answer states: "The determination of how a LEC treats a CMRS call is dependent on many factors, including the terms and conditions that would apply to the completion of the call, potential costs of transport, and any and all other costs associated with completion of the call." The answer does not explain how the factors listed affect how such a call is dialed. Thus, from the answer given, it is impossible to know how a Coalition member determines whether a call to the customer of a CMRS Providers should be dialed non-toll or toll. Such information is relevant to the dialing parity issue, and the CMRS providers are entitled to an appropriate answer.

### **Interrogatory 28**

This Interrogatory asks a simple question. Does each Coalition member provide calling on a non-toll basis to CMRS NPA-NXXs rated in each member's local calling area. This question can be answered yes or no for each Coalition member. Instead, the answer given contains a lengthy discussion of various factors that might or might not be involved in determining whether a call should be made on a non-toll basis. The answer does not respond to the question. For each Coalition member, the CMRS Providers are entitled to a simple yes or no, and if the answer is yes, an explanation of the how such calls are routed.

### **Interrogatory 29**

This Interrogatory asks if each Coalition member provides on a non-toll basis calling to CMRS NPA-NXXs rated in Metropolitan Area Calling or Extended Area Service locales. Each Coalition member can answer this question yes or no. Instead, the answer states that a Coalition member may route such traffic through a BellSouth trunk group "under circumstances where it [the Coalition member] may not be aware that the traffic is terminated on a CMRS network." The CMRS Providers ask that this answer be clarified. Are the Coalition members saying that they will not intentionally provide local calling to CMRS NPA-NXXs rated in Metropolitan Area Calling or Extended Area Service locales?

### **CATEGORY FOUR: NON-RESPONSIVE ANSWERS**

Several Coalition responses simply fail to answer the question asked. Other than evasion, there is no common theme among these non-responses. Each must be examined separately to understand the full measure of the Coalition's refusal to participate in meaningful discovery.

### **Interrogatory 6**

This interrogatory asks the Coalition members to identify all carriers with whom traffic is exchanged on a bill and keep basis. (Issues 3 and 8 in the Joint Issues Matrix.) The answer of the Rural Coalition states: "The Coalition Members do not have 'bill and keep' arrangements." The CMRS providers, however, did not ask if bill and keep "arrangements" exist. Interrogatory 6 seeks the names of all carriers with which any Coalition member exchanges traffic on a "bill and keep basis," i.e., without billing for reciprocal compensation. The interrogatory also requests a description of traffic subject to such exchange. For example, all of the Coalition members (except Highland Telephone Cooperative) currently exchange traffic with Cingular Wireless without any billing for reciprocal compensation. Many other carriers likely fall into this category. In the absence of appropriate cost data, or if the Coalition fails to rebut the presumption of balanced traffic established in 47 CFR § 51.713(c), bill and keep is an appropriate method of reciprocal compensation. The information requested is therefore relevant to this proceeding, and the CMRS Providers are entitled to an answer.

### **Interrogatory 18**

This interrogatory asks if the Rural Coalition agrees that each member is obligated to share the costs of direct interconnection facilities. (Issue 7B.) The Coalition answers: "In the absence of a specific direct interconnection request and the establishment of a proposed point of interconnection, it is not possible to address a proposal to share costs." The answer is not responsive to the question. The CMRS Providers are not making a proposal to share costs. Rather, Interrogatory 18 asks a simple question. Are the Rural Coalition Members obligated to



share the cost of a direct interconnection facility? This is an issue in the arbitration, and a simple yes or no will suffice.

### **Interrogatory 19**

This interrogatory asks if the Rural Coalition agrees to share the cost of facilities used for indirect interconnection with the CMRS Providers. (Issue 5.) The answer states that the Coalition members "have no obligation to incur any costs to transport traffic beyond their respective network borders." The answer is silent, and therefore non-responsive, about the portion of such facilities within the network borders of a Coalition member. Do the Coalition members agree to share the cost of facilities, within their network borders, used for indirect interconnection between the CMRS Providers and Coalition members? This is also an issue in the arbitration, and the CMRS Providers are entitled to an answer.

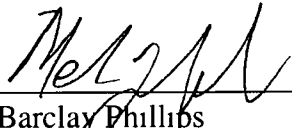
### **CONCLUSION**

Even a cursory reading of the Coalition's responses to the CMRS Providers' interrogatories demonstrates an almost total unwillingness to participate in meaningful discovery. This attitude is consistent with the conduct of the Coalition throughout negotiations and now arbitration.

For example, despite repeated requests, the Coalition members have refused to (1) enter into interim arrangements pursuant to 47 CFR § 51.715(a), (2) offer transport and termination rates, or (3) provide cost studies or traffic data.

Now the Coalition refuses to answer obviously relevant interrogatories. Accordingly, the CMRS Providers request an Order compelling adequate responses by the Coalition. If the Coalition will not provide the requested information in a timely manner (most especially cost

studies and supporting data), then the TRA should bar the any attempt by the Coalition to introduce such evidence at a later time in this proceeding.



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J. Barclay Phillips  
Melvin J. Malone  
Miller & Martin, PLLC  
1200 One Nashville Place  
150 4<sup>th</sup> Avenue North  
Nashville, Tennessee 37219-2433  
(615) 244-9270  
Counsel for Cellco Partnership d/b/a  
Verizon Wireless

Beth Fujimoto  
Regulatory Counsel  
Legal and External Affairs  
AT&T Wireless  
7277 164<sup>th</sup> Avenue, NE - RTC 1  
Redmond, WA 98052  
425-580-1822  
Attorney for AT&T Wireless

Dan Menser  
Marin Fettman  
Attorneys for T-Mobile USA, Inc.

Edward Phillips  
Sprint  
14111 Capital Blvd.  
Mail Stop: NCWKFR0313  
Wake Forrest, NC 27587  
919-554-3161

Charles McKee  
Sprint  
6450 Sprint Parkway  
Mailstop: KSOPHN0212-2A553  
Overland Park, KS 66251  
913-315-9098

Attorneys for Sprint PCS

J. Gray Sasser  
Miller and Martin  
Suite 1200  
One Nashville Place  
150 Fourth Avenue North  
Nashville, Tennessee 37219

Mark J. Ashby  
Senior Attorney  
Cingular Wireless  
5565 Glenridge Connector  
Suite 1700  
Atlanta, GA 30342

Paul Walters, Jr.  
15 E. First St.  
Edmond, OK 73034  
405-359-1718

Attorneys for Cingular Wireless

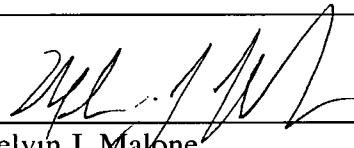
DATED: May 13, 2004

## CERTIFICATE OF SERVICE

I hereby certify that on May 13, 2004, a true and correct copy of the foregoing has been served on the parties of record, via the method indicated:

<input checked="" type="checkbox"/> Hand <input type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	William T. Ramsey Neal & Harwell 150 Fourth Avenue North, Suite 2000 Nashville, TN 37219-2498
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight <input type="checkbox"/> Electronically	Stephen G. Kraskin Kraskin, Lesse & Cosson, LLP 2120 L Street NW, Suite 520 Washington, D.C. 20037
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	Henry Walker Boulton, Cummings, Connors & Berry, PLC 414 Union Street, Suite 1600 PO Box 198062 Nashville, TN 37219
<input checked="" type="checkbox"/> Hand <input type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	J. Gray Sasser Miller & Martin LLP 1200 One Nashville Place 150 Fourth Avenue North Nashville, Tennessee 37219
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	Paul Walters, Jr. 15 East 1 <sup>st</sup> Street Edmond, OK 73034
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	Mark J. Ashby Cingular Wireless 5565 Glenridge Connector Suite 1700 Atlanta, GA 30342
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	Suzanne Toller Davis Wright Tremaine LLP One Embarcadero Center, #600 San Francisco, CA 94111-3611

<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	Beth K. Fujimoto AT&T Wireless Services, Inc 7277 164 <sup>th</sup> Ave., NE Redmond, WA 90852
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	Edward Phillips Sprint 14111 Capital Boulevard Wake Forest, NC 27587
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	Charles McKee Sprint PCS 6450 Sprint Parkway, MailStop 2A553 Overland Park, KS 66251
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	Elaine Critides Verizon Wireless 1300 I Street, N.W. Washington, D.C. 20005
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	Dan Menser Sr. Corporate Counsel T-Mobile USA, Inc. 12920 SE 38 <sup>th</sup> Street Bellevue, WA 98006
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	Marin Fettman Corporate Counsel, Regulatory Affairs T-Mobile USA, Inc. 12920 SE 38 <sup>th</sup> Street Bellevue, WA 98006
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	Leon M. Bloomfield Wilson & Bloomfield LLP 1901 Harrison St., Suite 1630 Oakland, CA 94612


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Melvin J. Malone  
J. Barclay Phillips  
Miller & Martin, PLLC

**John Paul Walters**  
**(405) 359-1707**

**Ted D. Foster, Jr.**  
**Of Counsel**  
**(405) 330-3466**

**THE WALTERS LAW FIRM**  
**A Professional Association**  
**Attorneys & Counselors at Law**  
15 EAST FIRST STREET 73034-3805  
POST OFFICE BOX 2405 73083-2405  
EDMOND, OKLAHOMA  
FAX (405) 348-1151

**John Paul Walters, Jr.\***  
**(405) 359-1718**  
**pwalters@sbcglobal.net**

\*also admitted in Texas &  
Missouri

April 27, 2004

Via e-mail and Federal Express

William T. Ramsey  
Neal & Harwell, PLC  
2000 One Nashville Place  
150 Fourth Avenue North  
Nashville, Tennessee 37219

Stephen G. Kraskin  
Kraskin, Lesse & Cosson, LLC  
2120 L St. N.W.  
Suite 520  
Washington, D.C. 20037

Re: Docket No. 03-00585; Tennessee Regulatory Authority

Gentlemen:

I am writing on behalf of the CMRS Providers in the captioned docket, regarding the Rural Coalition's answers to the CMRS Providers' first set of interrogatories.<sup>1</sup> Thank you for providing those answers. Some, however, are non-responsive, while others are incomplete. Before bringing these matters to the attention of the Hearing Examiner, we would like to give the Rural Coalition the opportunity to supplement its answers.

Although we will address each non-responsive/incomplete answer in some detail below, we feel compelled to address one particular issue which permeates many of the Rural Coalition's responses; i.e., the definition of "Telecommunications Traffic". The Rural Coalition appears to take the position that in the absence of a request for *direct* interconnection, traffic which otherwise satisfies the definitions in 47 C.F.R. § 51.701(b) is not "Telecommunications Traffic." This is simply not the case.

"Telecommunications Traffic" is explicitly defined in the regulations, and the definition is not dependent upon a request for interconnection (whether a request for direct or indirect interconnection) or upon the existence of an interconnection agreement. The

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<sup>1</sup> The CMRS Providers are Petitioners Verizon Wireless, AT&T Wireless, Cingular Wireless, Sprint PCS and T-Mobile

regulations define Telecommunication Traffic between a LEC and a CMRS provider to include all traffic which at the beginning of a call, "originates and terminates within the same Major Trading Area," i.e., intraMTA traffic. Thus, all intraMTA calls from your clients' customers to CMRS providers' customers, and vice-versa, are considered Telecommunications Traffic. The method by which that call is delivered or the status of interconnection negotiations between the respective customer's carriers is irrelevant for these purposes. Accordingly, the CMRS Providers request that the Rural Coalition supplement *each and every* response which relied on the Rural Coalition's narrow and otherwise flawed definition of Telecommunications Traffic.

In addition, following is a list of the Coalition responses that we believe are non-responsive or incomplete, with a brief explanation of our reasoning.

**Interrogatory 2:** The Coalition's answer states: "Coalition members do not have agreements for the exchange of Telecommunications Traffic that are not filed with the TRA." However, Attachment A to the Coalition's response shows the following written agreements that either have not been filed, or else have been filed but not produced:

1. Concord Telephone Exchange, Inc.--Knology (to be filed) and US Cellular (response says copy to be sent separately, but no copy has been sent).
2. Highland Telephone Cooperative, Inc.--Eloqui (filed with the TRA but no docket number given). We need the docket number for this one.
3. Humphreys County Telephone Company--Knology (to be filed).
4. Tellico Telephone Company, Inc.--Knology (to be filed) and US Cellular (response says copy to be sent separately, but no copy has been sent).
5. Tennessee Telephone Company--Knology (to be filed).

Please provide either copies or docket numbers of the above contracts.

**Interrogatory 3:** The Coalition members claim in the answer to Interrogatory 2 that they "do not have agreements for the exchange of Telecommunications Traffic that are not filed with the TRA." So the Coalition's answer to Interrogatory 3 simply refers back to the answer to Interrogatory 2. As discussed above, the Coalition appears to be refusing to answer Interrogatory 3 on the ground that traffic exchanged with another carrier is not treated as "Telecommunications Traffic" in the absence of a request for direct interconnection. The answer, as given, is non-responsive, because the Coalition's apparent definition of "Telecommunications Traffic" is inconsistent with the definition given in the CMRS Providers' interrogatories: i.e., it " . . . shall have the same meaning as defined in 47 CFR § 51.701(b)(1) with respect to traffic between Respondent and a

telecommunications carrier other than a CMRS carrier,<sup>2</sup> and as defined in 47 CFR § 51.701(b)(2) with respect to traffic between Respondent and a CMRS carrier."<sup>3</sup>

Moreover, as also noted above, nothing in the definition of Telecommunications Traffic presupposes or is conditioned on a request for interconnection.

The CMRS Providers are entitled to a response based upon the appropriate definition of Telecommunications Traffic.

**Interrogatory 4:** The answer of the Rural Coalition simply refers to the answer to Interrogatory 2 and refuses to respond further. Again, the answer is non-responsive. Interrogatory 3 seeks the identification of all companies (other than the CMRS providers) that any Rural Coalition Member has either originated or terminated Telecommunications Traffic within the past twelve months without benefit of a filed interconnection agreement. Interrogatory 4 seeks to discover if any Rural Coalition member has exchanged traffic with any company listed in response to Interrogatory 3 pursuant to an agreed rate for transport and termination, and if so, the amount of the rate as well as any traffic ratios.

**Interrogatory 6:** The answer of the Rural Coalition states: "The Coalition Members do not have 'bill and keep' arrangements." The CMRS providers did not ask if bill and keep "arrangements" exist. We asked for the names of all telecommunications carriers with which any Coalition member exchanges traffic on a "bill and keep basis," i.e., without billing for reciprocal compensation. We also requested a description of traffic subject to such exchange. For example, all of the Coalition members (except Highland Telephone Cooperative) currently exchange traffic with Cingular Wireless without any billing for reciprocal compensation. We suspect that many other carriers fall into this category and believe that we are entitled to a response.

**Interrogatory 8:** The Coalition answer to this interrogatory simply refers to the Coalition's answer to Interrogatory 7, which states that all transport and termination rates were established "through voluntary negotiation." Interrogatory 8, however, asks whether the rates so established are based on forward-looking costs. This is a straight-forward question and can be easily answered. The implication of the Coalition's answer is that the negotiated rates were not based on forward-looking costs. If that is the answer, a simple "no" will suffice. If no cost studies were used to support the negotiated rates, a

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<sup>2</sup> 47 CFR § 51.701(b)(1) defines "Telecommunications Traffic" as "telecommunications traffic exchanged between a LEC and a telecommunications carrier other than a CMRS provider, except for telecommunication traffic that is interstate or intrastate exchange access, information access, or exchange services for such access "

<sup>3</sup> 47 CFR § 51.701(b)(2) defines "Telecommunications Traffic" as "telecommunications traffic exchanged between a LEC and a CMRS provider that, at the beginning of the call, originates and terminates with the same Major Trading Area, as defined in § 24.202(a) of this chapter "



simple "none" will suffice. However, the CMRS providers are clearly entitled to have these questions answered.

**Interrogatory 9:** The Coalition answer states: "The Coalition Members have not proposed rates . . . " The interrogatory, however, did not ask if the Coalition proposed rates in the past. The interrogatory asks what rates does the Coalition now propose, as part of the arbitration proceeding, for the exchange of traffic with the CMRS providers. If the answer is that the Coalition is not now proposing rates as part of the arbitration, then the Coalition should so state. If the Coalitions response is based on its flawed redefinition of Telecommunications Traffic, then the supplemental response should be revised to reflect the correct definition.

The Coalition response to this interrogatory also seems to rely on the Coalition's position that it has no obligation to interconnect on an indirect basis with the CMRS Providers. This position has already been correctly repudiated by the TRA in the Hearing Officer's order denying the Coalition's motion to dismiss, which order held, among other things, that " . . . the members of the Coalition are required to interconnect with each CMRS provider, whether directly or indirectly, and to establish with each CMRS provider an arrangement for reciprocal compensation for the exchange of telecommunications traffic between a Coalition member and a CMRS provider." Thus, to the extent that the Coalition's response to this (or any other interrogatory) is based on its flawed position with respect to indirect interconnection, *all such* responses should be supplemented to take into account the order described above.

**Interrogatory 10:** This interrogatory asks how the Coalition calculated the rates it proposes in this arbitration proceeding for the exchange of traffic with CMRS providers. The Coalition's answer refers to Interrogatory 9, in which the Coalition members state that they have not, in the past, proposed any rates to the CMRS providers. For the reasons stated above, this answer is non-responsive. Assuming that the Coalition proposes rates in response to Interrogatory 9, the CMRS providers are entitled to ask, and the Coalition members should answer, how those rates were calculated.

**Interrogatory 11:** This interrogatory requests cost support for any rates that the Coalition proposes in this arbitration. The Coalition's answer refers to the answer to Interrogatory 9, in which the Coalition states that it did not, during negotiations, propose any rates. As discussed above, the Coalition's answer to Interrogatory 9 is non-responsive. Thus, the Coalition's answer to Interrogatory 11 is also non-responsive. If the Coalition is not now proposing any rates in the arbitration proceeding and thus does not have any cost support to produce, then the Coalition should state this.

The CMRS Providers have been requesting cost support since negotiations started, and the Coalition members have refused to provide it. We would remind you that 47 CFR § 51.301(c)(8)(ii) states that a "refusal by an incumbent LEC to furnish cost data that would

be relevant to setting rates if the parties were in arbitration" constitutes a breach of the duty to negotiate in good faith. We believe that the Coalition members, by their refusal to respond to Interrogatory 11, continue to be in breach of such duty.

**Interrogatory 12:** This interrogatory asks whether the rates that the Coalition proposes in this arbitration for the exchange of traffic with the CMRS providers have been approved by the TRA. The Coalition's answer refers to the answer to Interrogatory 9, in which the Coalition states that it has not proposed any rates. As discussed above, the Coalition's answer to Interrogatory 9 is non-responsive to the question asked. Thus, the Coalition's answer to Interrogatory 12 is also non-responsive. If the Coalition is now proposing any rates in response to Interrogatory 9, the Coalition members should answer whether those proposed rates have been approved by the TRA.

**Interrogatory 18:** This interrogatory asks if the Rural Coalition agrees that each member is obligated to share the costs of direct interconnection facilities. The Coalition answer states: "In the absence of a specific direct interconnection request and the establishment of a proposed point of interconnection, it is not possible to address a proposal to share costs." The answer is not responsive to the question. The CMRS Providers are not making a proposal to share costs. Rather, we are asking a simple question. Are the Rural Coalition Members obligated to share the cost of a direct interconnection facility? A simple yes or no will suffice.

**Interrogatory 19:** This interrogatory asks if the Rural Coalition agrees to share the cost of facilities used for indirect interconnection with the CMRS Providers. The answer states that the Coalition members "have no obligation to incur any costs to transport traffic beyond their respective network borders." The answer is silent, and therefore non-responsive, about the portion of such facilities within the network borders of a Coalition member. Do the Coalition members agree to share the cost of facilities, within their network borders, used for indirect interconnection between the CMRS Providers and Coalition members?

**Interrogatory 24:** This interrogatory asks if the Coalition members send any Telecommunications Traffic to the CMRS Providers through BellSouth tandem facilities. You responded, "No." However, the answer to this interrogatory appears to rely on the on the same flawed definition of Telecommunications Traffic used in response to Interrogatory 3. Accordingly, please confirm that your answer to this interrogatory is accurately applying the correct definition of Telecommunications Traffic explained above.

**Interrogatory 25:** This interrogatory asks, if the Coalition members send any Telecommunications Traffic to the CMRS Providers through BellSouth tandem facilities,

how that traffic is dialed by the Coalition member's landline customers. You respond with references to I-2 and I-24, which, as is explained above, both rely on the Coalition's flawed definition of Telecommunications Traffic. If, in response to Interrogatory I-24, the Coalition identifies any traffic that it is sending through BellSouth tandems, the CMRS Providers are entitled to know if those calls are dialed by Coalition end users on a non-toll, 7 or 10 digit basis.

**Interrogatory 26:** Based on the same improper definition of "Telecommunications Traffic" discussed in Interrogatory 3 and elsewhere, the Coalition claims that the only "traffic relevant to this interrogatory" would be traffic exchanged by Coalition members "pursuant to the interconnection agreements identified in Attachment A." Even with respect to the small subset of the total traffic involved in this Interrogatory, the Coalition does not give a responsive answer. The Interrogatory seeks the identity of each carrier with whom a member of the Rural Coalition exchanges traffic through a BellSouth tandem and if the Coalition member's customers may dial such other carrier on a non-toll, 7 or 10 digit basis. As to the small subset of traffic that the Coalition answer includes in its response, the Coalition states: "Traffic transmitted under those agreement [identified in Attachment A] would not be 'toll' traffic." This implies, but does not state directly, that customers of Coalition member may dial such other carrier on a non-toll, 7 or 10-digit basis. As to this small subset of carriers, we would like a direct answer. Moreover, the answer excludes all traffic exchanged without benefit of an approved interconnection agreement. The CMRS Providers are entitled to a responsive answer as to all "Telecommunications Traffic" as defined by FCC Regulations.

**Interrogatory 27:** This Interrogatory asks how the Coalition members determine if a call to a CMRS Provider should be sent non-toll 7 digit, non-toll 10 digit, or 1+ toll. The answer is responsive as to 7 digit and 10 digit non-toll dialing. As to how the determination is made between non-toll and 1+ toll, the answer states: "The determination of how a LEC treats a CMRS call is dependent on many factors, including the terms and conditions that would apply to the completion of the call, potential costs of transport, and any and all other costs associated with completion of the call." The answer does not explain how the factors listed affect how such a call is dialed. Thus, from the answer given, it is impossible to know how a Coalition member determines whether a call should be dialed non-toll or toll. Such information is important in the arbitration, and the CMRS providers are entitled to an appropriate answer to the question.

**Interrogatory 28:** This Interrogatory asks a simple question. Does each Coalition member provide calling on a non-toll basis to CMRS NPA-NXXs rated in rate centers within each member's local calling area. This question can be answered yes or no for each Coalition member. Instead, the answer given contains a lengthy discussion of various factors that might or might not be involved in determining whether a call should be made on a non-toll basis. The answer does not, however, respond to the question. For

each Coalition member, the CMRS Providers are entitled to a simple yes or no, and if the answer is yes, an explanation of the how those calls are routed.

**Interrogatory 29:** This Interrogatory asks if each Coalition member provides on a non-toll basis calling to CMRS NPA-NXXs rated in rate centers that are Metropolitan Area Calling or Extended Area Service. Each Coalition member can answer this question yes or no. Instead, the answer states that a Coalition member may route such traffic through a BellSouth trunk group "under circumstances where it [the Coalition member] may not be aware that the traffic is terminated on a CMRS network." We ask that this answer be clarified. Are the Coalition members saying that they will not intentionally provide local calling to CMRS NPA-NXXs rated in rate centers that are Metropolitan Area Calling or Extended Area Service?

**Interrogatory 30:** The Coalition objects to disclosing the number and type of lines served by each Coalition member's switch(es). Such information, however, is both relevant and necessary to determining the forward-looking costs of the local switching element of transport and termination rates.

**Interrogatory 31:** This Interrogatory requests Coalition members to (i) identify Coalition member tandem and end office switches; (ii) describe how CMRS traffic is received by those switches from BellSouth and (ii) provide cost data relating to the facilities that (a) connect any BellSouth tandem to any Coalition tandem or end office, and (b) are used to transport traffic from any CMRS provider to any coalition member. This information is relevant, in part, to determining each Coalition member's forward looking costs of the transport element of transport and termination rates.

Although the Coalition members' switches are identified in Attachment A, you do not indicate which switches you contend are tandems and which are end offices. Moreover, no information is provided at all regarding the manner in which calls are terminated or the cost of facilities. The Coalition answer states: "The inquiry regarding how traffic through the BellSouth tandem is handled, and the cost of facilities from the BellSouth tandem to each Independent's network should be directed to BellSouth." However, the Interrogatory does not seek to determine how BellSouth handles the traffic or what BellSouth's costs are. Instead, the Interrogatory seeks information regarding how the *Coalition members* receive the traffic from BellSouth and what each Coalition member's costs, if any, are for the facilities from the BellSouth tandem to each Coalition member's network. The CMRS Providers are entitled to an answer to this Interrogatory.

**Interrogatory 36:** The Coalition's response incorporates its previous response to Interrogatory No. 2 and thus appears to rely on the on the same flawed definition of Telecommunications Traffic. Accordingly, please confirm that your answer to this interrogatory is accurately applying the correct definition of Telecommunications Traffic

explained above. The response also seems to incorporate the Coalition response to Interrogatory No. 9 and should be supplemented accordingly.

**Interrogatory 37:** The Coalition members object (on grounds of relevancy) to producing audited financial statements for 2000, 2001, 2002 and 2003. Such statements are relevant for determining forward looking costs for transport and termination and as such should be produced.

**Interrogatory 38:** The Coalition members object (on grounds of relevancy) to producing copies of their most recent access cost studies. Such studies are relevant, because access rates are not appropriate as transport and termination charges. Thus, an access cost study will demonstrate a range below which transport and termination charges should lie. An access cost study will also show imbedded costs, which are not included in the TELRIC methodology and thus must be excluded from transport and termination charges. The requested access cost studies should therefore be produced.

Because of the compressed procedural schedule in the consolidated docket, we request that the Rural Coalition's supplemental answers be provided in electronic format not later than April 30, 2004.

Sincerely,

Paul Walters, Jr.

**John Paul Walters**  
**(405) 359-1707**

**Ted D. Foster, Jr.**  
**Of Counsel**  
**(405) 330-3466**

**THE WALTERS LAW FIRM**  
**A Professional Association**  
**Attorneys & Counselors at Law**  
15 EAST FIRST STREET 73034-3805  
POST OFFICE BOX 2405 73083-2405  
EDMOND, OKLAHOMA  
FAX (405) 348-1151

**John Paul Walters, Jr.\***  
**(405) 359-1718**  
**pwalters@sbcglobal.net**

\*also admitted in Texas &  
Missouri

May 7, 2004

Via e-mail and Federal Express

William T. Ramsey  
Neal & Harwell, PLC  
2000 One Nashville Place  
150 Fourth Avenue North  
Nashville, Tennessee 37219

Stephen G. Kraskin  
Kraskin, Lesse & Cosson, LLC  
2120 L St. N.W.  
Suite 520  
Washington, D.C. 20037

Re: Docket No. 03-00585; Tennessee Regulatory Authority

Gentlemen:

I am writing on behalf of the CMRS Providers<sup>1</sup> in the captioned docket, regarding the status of discovery.

On April 27, 2004, the CMRS Providers provided you with a detailed letter regarding the inadequate responses submitted by the Rural Coalition to the interrogatories previously propounded by the CMRS Providers. In that letter, we requested a written response by April 30, 2004.

This letter is being sent May 7, 2004, and the CMRS Providers still have not received a written response.

Mr. Ramsey did contact me by telephone and asked to set up a conference call to discuss both the CMRS Providers' and the Rural Coalition's discovery issues. When I suggested a call during the week of May 10-14, Mr. Ramsey indicated that he would be tied up in depositions the entire week. He indicated that May 18 was the earliest he could participate in a conference call.

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<sup>1</sup> The CMRS Providers are Petitioners Verizon Wireless, AT&T Wireless, Cingular Wireless, Sprint PCS and T-Mobile

I asked if Mr. Kraskin could participate in such a call prior to the 18<sup>th</sup>. Mr. Ramsey indicated that he (Mr. Ramsey) needed to be on the call because it was a discovery matter.

Mr. Ramsey also asked if the CMRS Providers would be willing to submit a joint letter to the Hearing Officer in an effort to resolve any discovery disputes remaining after the conference call.

Please note that the timeline proposed by the Rural Coalition simply will not work within the compressed arbitration schedule. Direct testimony is due June 3, and the CMRS Providers need responses to interrogatories in time to prepare testimony.

Nonetheless, in an effort to resolve the discovery dispute on an informal basis, we are willing to wait until close of business on May 11 to receive the Rural Coalition's supplemental discovery responses. However, if the Coalition elects not to respond by that date, or its responses are otherwise inadequate, the CMRS Providers intend to file a motion to compel and ask for an expedited hearing.

The CMRS Providers remain willing to discuss any outstanding discovery issues with you on May 18<sup>th</sup>, regardless of the status of our motion to compel. To the extent that discovery disputes can be resolved on such a call, we would obviously modify or withdraw our motion accordingly.

Sincerely,

Paul Walters, Jr

May 11, 2004

Paul Walters, Jr., Esq.  
The Walters Law Firm  
15 East First Street  
P O Box 2405  
Edmond, Oklahoma 73083-2405

Re. Docket No. 03-00585; Tennessee Regulatory Authority

Dear Mr. Walters:

I received your letter of May 7, 2004, and, as I expressed in my telephone conversation, I am sorely disappointed in the position and attitude expressed in your letter. As you know, the original scheduling order in this case required all parties to file their discovery responses on or before March 29. The Coalition met that deadline. We did not learn until after we had served our responses that the hearing officer had stayed the proceedings. As a result, the CMRS Providers received a copy of our responses on March 29, and we received copies of the responses of the CMRS Providers exactly one month later, on April 29, the postponed date for responses.

As set forth in your letter, the CMRS Providers sent an April 27, 2004 letter detailing alleged inadequate discovery responses submitted by the Coalition. In that letter, you did request a written response by April 30, 2004. I might point out to you that, at the time the CMRS Providers wrote the letter, you had had our responses for almost a month. You sent the letter demanding supplementation two days before you even submitted your responses on April 29! Incredibly, the CMRS Providers demanded a response by April 30, three days later, and one day after you had submitted your responses to the Coalition. I contacted you and pointed out to you that the position of the CMRS Providers was unreasonable given the fact that the CMRS Providers had had our responses a full month before we got the responses from the CMRS Providers. Now, the CMRS Providers are seeking to take unfair advantage of its serendipitous receipt of the Coalition's responses one full month before they were actually due.

**Exhibit C**



In my conversations with you, I suggested that we have a "meet and confer" meeting (either face-to-face or by telephone) where we could discuss the alleged inadequacies asserted by the CMRS Providers and the inadequacies that the Coalition finds in the CMRS Providers' responses. You agreed that was a reasonable position.

Indeed, based on our discussions, we agreed that we would request that the hearing officer cancel the status conference to give us time to have a "meet and confer" on discovery responses and submit a unified position paper to the hearing officer to streamline the discovery process. We had already begun the process of addressing your discovery issues with our member clients, with an eye toward the May 18 date we had suggested, the date we believed, in good faith, would be the "meet and confer" date.

In spite of what you agreed to be a perfectly reasonable position of the Coalition, you, on behalf of the other CMRS Providers, called me late in the day (approximately 5:30 or 6:00 pm) on May 7, the Friday before Mother's Day. You informed me of the new position of the CMRS Providers. You also e-mailed and Federal Expressed a letter dated May 7 setting forth the obviously unreasonable and unfair position taken by the CMRS Providers

In your letter, on behalf of the CMRS Providers, you demand "supplemental discovery responses" by the close of business on May 11. You state that, if the Coalition does not respond by that date, the CMRS Providers "intend to file a motion to compel and ask for an expedited hearing."

As I explained to you in our telephone conversation on May 7, the position taken by the CMRS Providers is unreasonable and unfair. As stated above, you had our discovery responses a full month before we had yours. It is obvious that the CMRS Providers are trying to take unfair advantage of the fact that the Coalition members provided their discovery responses a month before they were actually due.

As I also explained to you in our telephone conversation, based upon these actions, it is obvious that the CMRS providers do not intend to seek to resolve our discovery dispute by agreement and in good faith. Rather, the CMRS Providers seek to turn discovery into a highly adversarial process. Consequently, I see no reason to have a "meet and confer" meeting, even though I believe that is by far the best way to resolve discovery disputes.

I will follow the CMRS Providers' lead, and we will resolve all discovery issues by time consuming and expensive motions to compel. I will also contact Ms. Beals and ask her to reschedule a status conference, since I agreed to cancel the prior one based on my understanding of our agreement. I want to bring all of these matters to her attention as soon as possible.

Paul Walters, Jr., Esq.  
May 11, 2004  
Page 3

Again, I am deeply saddened and disappointed by the position taken by the CMRS Providers. I urge you to rethink your position and try to resolve our differences by agreement in a "meet and confer" as I originally suggested, and as I thought we had originally agreed.

Sincerely,

William T. Ramsey

/meh

cc: Stephen G Kraskin

Paul Walters, Jr., Esq.

May 11, 2004

Page 4

bcc. Ms. Desda Hutchins  
Ms. Susan Smith  
Mr. Levoy Knowles  
Mr. David Dickey  
Ms. Lera Roark  
Mr. Bruce H. Mottern  
Mr. Jeff Handley

(All sent via e-mail and first-class mail)

**John Paul Walters**  
**(405) 359-1707**

**Ted D. Foster, Jr.**  
**Of Counsel**  
**(405) 330-3466**

**THE WALTERS LAW FIRM**  
**A Professional Association**  
**Attorneys & Counselors at Law**  
15 EAST FIRST STREET 73034-3805  
POST OFFICE BOX 2405 73083-2405  
EDMOND, OKLAHOMA  
FAX (405) 348-1151

**John Paul Walters, Jr.\***  
**(405) 359-1718**  
**pwalters@sbcglobal.net**

\*also admitted in Texas &  
Missouri

May 13, 2004

Via e-mail and Federal Express

William T. Ramsey  
Neal & Harwell, PLC  
2000 One Nashville Place  
150 Fourth Avenue North  
Nashville, Tennessee 37219

Stephen G. Kraskin  
Kraskin, Lesse & Cosson, LLC  
2120 L St. N.W.  
Suite 520  
Washington, D.C. 20037

Re: Docket No. 03-00585, Tennessee Regulatory Authority

Gentlemen:

I am writing on behalf of the CMRS Providers<sup>1</sup> in response to Mr. Ramsey's correspondence of May 11, 2004, in which Mr. Ramsey claims that the CMRS Providers have adopted a "new position" regarding discovery disputes. This is not the case. The CMRS Providers' primary interest has been, and continues to be, to receive complete answers to discovery requests which were propounded to the Coalition members almost two months ago and to do so as efficiently and quickly as possible.

To that end, the CMRS Providers (a) provided the Coalition members with a letter on April 27, 2004, detailing the numerous deficiencies in the Coalition discovery responses and (b) agreed to meet and confer to discuss these deficiencies (as well as any issues the Coalition members might have with the CMRS discovery responses). However, given your inability/unwillingness to meet until May 18, 2004, the lack of any other substantive response to our letter of April 27<sup>th</sup>, and the compressed procedural schedule we are all subject to, the CMRS Providers also feel compelled to file a motion to compel in order to ensure that these issues can be addressed in a timely manner and that the current procedural schedule can be maintained. As it stands, the CMRS

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<sup>1</sup> The CMRS Providers are Petitioners Verizon Wireless, AT&T Wireless, Cingular Wireless, Sprint PCS and T-Mobile

Providers are already at a distinct disadvantage in filing their direct testimony on June 3<sup>rd</sup> given the refusal by the Coalition members to provide substantive responses to our discovery requests.

Moreover, as noted in my letter of May 7<sup>th</sup>, the CMRS Providers have committed to modify or withdraw the motion to the extent our issues are resolved through informal processes. Thus, we are both perplexed and disappointed by Mr. Ramsey's statement that he sees "no reason to have a 'meet and confer' meeting" even though he acknowledges that this is the "best way to resolve discovery disputes."

The CMRS Providers note that Mr. Ramsey's letter indicates a desire to set another status conference and argue the discovery issues to the Hearing Officer. We are not opposed to that idea. On the contrary, we welcome it. Since Mr. Ramsey told me on May 5 that he was unavailable for the "meet and confer" conference from May 10 to May 17, the status conference will, of necessity, have to be rescheduled on the 18<sup>th</sup> or soon thereafter. We therefore suggest that we hold the "meet and confer" conference on the 18<sup>th</sup> and follow that with the status conference, at which time we will discuss with the Hearing Officer any remaining discovery disputes. Our motion to compel will provide all parties with the appropriate mechanism to address any such disputes.

On behalf of the CMRS Providers, I would also note that Mr. Ramsey's letter is factually inaccurate. Although in the course of our May 5<sup>th</sup> telephone conversation, Mr. Ramsey suggested a "meet and confer" conference on May 18, 2004, followed by a joint filing concerning any remaining discovery disputes, I could not and did not agree to such an arrangement. Instead, I clearly indicated to Mr. Ramsey that I would have to check with both my own client (Cingular Wireless) and counsel for the other CMRS providers involved in the arbitration. The CMRS Providers did suggest that the May 6 status conference be cancelled while the parties attempted to work out their differences. Mr. Ramsey agreed to the cancellation. My phone call and letter of May 7, 2004 -- in which I informed Mr. Ramsey that we felt we needed to file our motion and we agreed to meet with you on the May 18<sup>th</sup> (and to modify our motion if appropriate) -- were the response of the CMRS Providers to Mr. Ramsey's May 5 proposal.

On a final note, Mr. Ramsey alleges that the CMRS Providers "are seeking to take unfair advantage of its serendipitous receipt of the Coalition's responses one full month before they were actually due." This is not the case. Our own responses to Coalition discovery were timely made April 29, 2004--two weeks ago. In our phone conversations, Mr. Ramsey indicated a belief that certain responses of the CMRS Providers are inadequate, but he did not elaborate. If the Coalition has concerns with specific responses of the CMRS Providers, please let us know, preferably in writing. We can discuss Coalition concerns on the 18<sup>th</sup>, or sooner if you are able

Sincerely,

Paul Walters, Jr.

**BEFORE THE  
TENNESSEE REGULATORY AUTHORITY**

In Re:	)	T.R.A. BOARD ROOM
	)	
Cellco Partnership d/b/a Verizon	)	Consolidated Docket
Wireless For Arbitration Under the	)	No. 03-00585
Telecommunications Act of 1996	)	
	)	
	)	
	)	
	)	
	)	

**FIRST SET OF INTERROGATORIES OF THE CMRS PROVIDERS  
DIRECTED TO EACH OF THE MEMBERS OF THE RURAL  
COALITION OF SMALL LECs AND COOPERATIVES**

Petitioners Cellco Partnership d/b/a Verizon Wireless ("Verizon Wireless"), AT&T Wireless PCS, LLC d/b/a AT&T Wireless ("AT&T Wireless"), BellSouth Mobility LLC; BellSouth Personal Communications, LLC; Chattanooga MSA Limited Partnership, collectively d/b/a Cingular Wireless ("Cingular Wireless"), Sprint Spectrum L.P. d/b/a Sprint PCS ("Sprint PCS"), and T-Mobile USA, Inc. ("T-Mobile"), collectively referred to herein as the CMRS Providers, propound this First Set of Interrogatories separately and independently upon each member of the Rural Coalition of Small LECs and Cooperatives, referred to separately and individually herein as Respondent, pursuant to the Rules of the Tennessee Regulatory Authority ("TRA" or "Authority") and the Tennessee Rules of Civil Procedure. These Interrogatories include requests for copies of documents as provided by the Tennessee Rules of Civil Procedure. Answers must be served

consistent with the Procedural Schedule issued by the Hearing Officer in this matter. Each member of the Rural Coalition should provide separate answers to these Interrogatories, except to the extent that the answer to a particular question is the same for all or some portion of the Coalition members.

### **DEFINITIONS AND INSTRUCTIONS**

1. "And" and "Or" shall mean "and/or."
2. "Affiliate" shall have the meaning as defined in 47 USC § 153(1).
3. "Communication" or "communications" shall mean all meetings, conversations, conferences, discussions, correspondence, messages, telegrams, telefax, mailgrams, and all oral and written expressions or other occurrences whereby thoughts, opinions or data are transmitted between two or more persons.
4. "CMRS" and "Commercial Mobile Radio Service" shall have the meaning defined and used by the Federal Communications Commission. *See* 47 C.F.R. §§ 20.3, 20.9(a)(4), (7), (11).
5. "Concerning" and "concern" shall mean memorializing, mentioning, to be connected with, comprising, consisting, indicating, describing, referring, relating to, evidencing, showing, discussing, or involving in any way whatsoever the subject matter of the Interrogatory.
6. "Documents" as used herein shall mean every original and every non-identical copy of any original of all mechanically written, handwritten, typed or printed material, electronically stored data, microfilm, microfiche, sound recordings, films, photographs, slides, and other physical objects of every kind and

description containing stored information, including but not limited to, all transcripts, letters, notes, memoranda, tapes, records, telegrams, periodicals, pamphlets, brochures, circulars, advertisements, leaflets, reports, research studies, test data, working papers, drawings, maps, sketches, diagrams, blueprints, graphs, charts, diaries, logs, agreements, contracts, rough drafts, analyses, ledgers, inventories, financial information, books of account, understandings, minutes of meetings, minute books, resolutions, assignments, computer printouts, purchase orders, invoices, bills of lading, written memoranda or notes of oral communications, and any other tangible thing of whatever nature.

7. “Identify” or “state the identity of” means:

(a) In the case of a person, to state the name; last known residence; employer or business affiliation; and occupation and business position held.

(b) In the case of a company, to state the name; if incorporated, the place of incorporation; the principal place of business; and the identity of the person(s) having knowledge of the matter with respect to which the company is named.

(c) In the case of a document, to state the identity of the person(s) who prepared it; the sender and recipient; the title or a description of the general nature of the subject matter; the date of preparation; the date and manner of distribution and publication; the location of each copy and the



identity of the present custodian; and the identity of the person(s) who can identify it.

(d) In the case of an act or event, to state a complete description of the act or event; when it occurred; where it occurred; the identity of the person(s) performing said act (or omission); the identity of all persons who have knowledge, information or belief about the act; when the act, event, or omission first became known; the circumstances; the manner in which such knowledge was first obtained; and the documents or other writings which memorialize the instance.

8. "Oral communication" shall mean any verbal conversation or other statement from one person to another, including but not limited to, any interview, conference, meeting or telephone conversation.

9. "Person" or "Persons" shall mean any individual, association, partnership, corporation, firm, organization, or entity.

10. "Refer," "referring to," "relate," and "relating to" shall mean having a legal, factual or logical connection, relationship, correlation, or association with the subject matter of the request.

11. "Respondent," "you" and "your" shall mean or refer to each member of the Rural Independent Coalition separately and individually, its predecessor(s), if any, as well as its divisions, parent and subsidiary entities, all related companies, and the officers, directors, employees, agents, representatives, and other personnel

thereof, and any entity through which Respondent provides telephone service in Tennessee.

12. “Telecommunications carrier” shall have the same meaning as defined in 47 USC § 153(44).

13. “Telecommunications service” shall have the same meaning as defined in 47 USC § 153(46).

14. “Telecommunications Traffic” shall have the same meaning as defined in 47 CFR § 51.701(b)(1) with respect to traffic between Respondent and a Telecommunications carrier other than a CMRS carrier, and as defined in 47 CFR § 51.701(b)(2) with respect to traffic between Respondent and a CMRS carrier.

15. “BellSouth” shall mean BellSouth Telecommunications, Inc., an incumbent local exchange carrier which provides telecommunications services in Tennessee.

16. “Verizon Wireless” shall mean Cellco Partnership; Verizon Wireless Tennessee Partnership, collectively d/b/a Verizon Wireless.

17. “AT&T Wireless” shall mean AT&T Wireless PCS, LLC d/b/a AT&T Wireless.

18. “Cingular Wireless” shall mean BellSouth Mobility LLC; BellSouth Personal Communications, LLC; Chattanooga MSA Limited Partnership, collectively d/b/a Cingular Wireless.

19. “Sprint PCS” shall mean Sprint Spectrum L.P. d/b/a Sprint PCS.

20. "T-Mobile" shall mean T-Mobile USA, Inc. and its Affiliates, including PowerTel Memphis, Inc., PowerTel Kentucky, Inc., PowerTel Birmingham, Inc. and PowerTel Atlanta, Inc.

21. "CMRS Providers" shall mean Verizon Wireless, AT&T Wireless, Cingular Wireless, Sprint PCS and T-Mobile collectively.

22. "CMRS carrier(s)" shall mean any and all Telecommunications carriers that are authorized to provide wireless Telecommunications service within the State of Tennessee.

23. Unless otherwise noted or required by context, the relevant geographic area covered by these requests is the State of Tennessee.

24. Words of gender shall be construed as including all genders, without limitation.

25. Words in the singular shall be construed to mean the plural or vice versa as appropriate.

26. If you object to any Interrogatory or Interrogatory subpart, or otherwise withhold responsive information because of the claim of privilege, work product, or other grounds:

(a) identify the Interrogatory question and subpart to which objection or claim of privilege is made;

(b) state whether the information is found in a document, oral communication, or in some other form;

(c) identify all grounds for objection or assertion of privilege, and set forth the factual basis for assertion of the objection or claim of privilege;

(d) identify the information withheld by description of the topic or subject matter, the date of the communication, and the participants; and

(e) identify all persons having knowledge of any facts relating to your claim of privilege.

27. If you object to any portion of an Interrogatory, explain your objection and answer the remainder.

28. The information requested herein is intended to include all knowledge and information of Respondent in its corporate capacity, and includes, unless otherwise specifically indicated, its predecessors, agents, legal representatives, divisions, subsidiary entities, both controlled and wholly-owned, and all other related companies (as defined by 15 U.S.C. § 1127), and the past and present officers, directors, employees, agents, representatives, attorneys and other personnel thereof, as well as each entity through which Respondent provides telephone service in Tennessee.

29. These Interrogatories are deemed continuing in nature, requiring Respondent to serve upon Petitioners further responses promptly after Respondent has acquired additional knowledge or information.

## **INTERROGATORIES**

### **I. EXISTING ARRANGEMENTS**

#### **A. Written Agreements**

I-1. Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA, please identify the Docket No. and sufficient additional detail to permit a copy of such agreement, including any and all amendments thereto, to be requested and obtained from the TRA.

I-2. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists that has not been filed with the TRA, please provide a copy of such agreement, as well as all amendments thereto.

#### **B. Unwritten Agreements**

I-3. Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months without the benefit of a written agreement.

I-4. For each Telecommunications carrier identified in response to Interrogatory I-3, please identify whether the traffic is being originated or terminated based upon agreed terms and, if so, please identify any agreed upon rate for the termination and/or transport of such traffic, traffic ratio(s) and (if the Telecommunications carrier is a CMRS carrier) interMTA factor(s).

### **C. Affiliates**

I-5. Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you, or is an Affiliate to another person or entity to which you are also an Affiliate.

### **D. Bill and Keep Agreements**

I-6. Provide the names of all Telecommunications carriers with which you currently exchange any traffic on a bill and keep basis.

- a. Describe the traffic subject to such agreement.
- b. Describe how the traffic subject to bill and keep is routed and rated.

## **II. BASIS FOR TRANSPORT AND TERMINATION RATES**

I-7. For each transport rate, termination rate and interconnection facility rate that may be contained in an agreement identified in response to Interrogatories I-1 (written agreements filed with the TRA), I-2 (written but unfiled agreements) and/or I-3 (unwritten agreements), please describe how the rate, and each of its elements, is calculated.

I-8. For each transport rate, termination rate and interconnection facility rate described in response to Interrogatory I-6, please state whether you contend

that the rate is based on the forward-looking economic cost for you to provide such transport, termination, and interconnection facility, and provide a copy of each and every cost study, including all supporting documentation relating to establishment of such rates.

I-9. What are the respective rates that each Respondent proposes for transport and termination of (a) Telecommunications Traffic exchanged on a direct basis with the CMRS Providers and (b) Telecommunications Traffic exchanged on an indirect basis with the CMRS Providers?

I-10. For each rate provided in response to Interrogatory I-8 (regarding rates proposed for the transportation and termination of Telecommunications Traffic exchanged with the CMRS Providers), please describe how the rate, and each of its elements, is calculated. Please include in your answer identification of each distinct network function that you contend is required to provide each termination arrangement.

I-11. For each rate provided in response to Interrogatory I-8 (regarding rates proposed for the transportation and termination of Telecommunications Traffic exchanged with the CMRS Providers), please identify and provide copies of all cost models, cost inputs, and cost assumptions relating to the rate, projected traffic demand and growth assumptions, including all supporting documentation of any network functionality that you use to terminate a call originated by the CMRS Providers. Please include in your response functioning electronic copies of the cost models, populated with the inputs and assumptions used by Respondent, in a

format that allows the user to change inputs and assumptions and recalculate results.

I-12. Have any of the rates that you propose for transport and termination of Telecommunications Traffic exchanged with the CMRS Providers been approved by the TRA? If so, please identify the decision and provide a copy.

### **III. FACILITIES AND TRANSIT COSTS**

#### **A. Combined Traffic Delivered Over Same Trunk Group**

I-13. Please identify where (i.e., physical interconnection location(s)) and how (i.e. type of trunk group, and nature of traffic currently exchanged over each trunk group) Respondent's network is currently interconnected with the BellSouth network.

I-14. Do you contend that you need to install any additional facilities or augment any existing facilities in order to provide direct or indirect connection to the CMRS Providers pursuant to the interconnection agreement that is the subject of this proceeding? If so, please describe in detail the additional and augmented facilities and state why they are necessary.

I-15. Does BellSouth currently combine CMRS Provider traffic with other traffic types and deliver such combined traffic to you over the same trunk group(s)? If so, please identify each trunk group over which combined traffic is delivered to you by BellSouth, and each type of traffic that you contend BellSouth has combined for delivery over that trunk group.



I-16. For each type of traffic that BellSouth delivers to you, please state what call detail information BellSouth provides to you, if any, that identifies such traffic by traffic type, message quantity, call duration, or originating party.

I-17. Do you currently bill inter-exchange carriers (IXCs) for either originating or terminating minutes of use? If so, please describe what call detail information is provided to you by BellSouth and/or the IXCs, if any, which you in turn use to bill the IXC(s)? Is the IXC traffic combined with other traffic?

#### **B. Shared Facility Costs**

I-18. Does Respondent agree that it is obligated to share with the CMRS Providers the cost of the facilities used for direct interconnection between the CMRS Providers and Respondent? If so, please describe in detail your proposal for the sharing of the cost of the facilities? If not, explain the legal basis for your position.

I-19. Does Respondent agree to share with BellSouth the cost of the facilities used for indirect interconnection between the CMRS Providers and Respondent? If so, please describe in detail your proposal for the sharing of the cost of the facilities?

I-20. If a CMRS Provider orders an interconnection facility that directly connects a Respondent switch to the CMRS Provider's switch located outside Respondent's geographic service area boundary, does Respondent contend that it is relieved of the responsibility to share the cost associated with the portion of the interconnection facility that extends beyond Respondent's exchange boundary? If

so, please identify the authority that relieves Respondent of such cost sharing responsibility.

### **C. Transit Costs**

I-21. Does Respondent contend that there is any FCC Rule or other authority which requires transit charges associated with the delivery of land-originated Telecommunications traffic sent through a third-party tandem to be paid by the terminating CMRS provider? If so, please identify the rule(s) or other authority.

## **IV. TRAFFIC RATIOS**

I-22. What is the approximate ratio of (a) Telecommunications Traffic originated by your landline customers and delivered to each of the CMRS Providers (land-to-mobile) to (b) Telecommunications Traffic that each of the CMRS Providers respectively originates to you (mobile-to-land)?

I-23. With respect to any traffic ratio identified in Interrogatory I-20, please provide all supporting data, including but not limited to traffic studies, traffic reports, and any other documentation which supports that traffic ratio.

## **V. ROUTING AND DIALING PARITY**

I-24. Is Respondent currently sending any Telecommunications Traffic originated by its landline customers to any of the CMRS Providers through trunk groups which connect Respondent to BellSouth tandem facilities? If so, please state the monthly volume of that Telecommunications traffic.

I-25. If Respondent is currently sending any Telecommunications Traffic originated by its landline customers to any of the CMRS Providers through trunk groups which connect Respondent to BellSouth's tandem facilities, to what extent is that traffic dialed by Respondent's landline customers on a non-toll, 7 or 10 digit basis?

I-26. Excluding the CMRS Providers, does Respondent send any Telecommunications Traffic originated by its landline customers to any other Telecommunications carrier, or terminate Telecommunications Traffic from any other Telecommunications carrier, through trunk groups which connect Respondent to BellSouth tandem facilities? If so, please identify each Telecommunications carrier, and state to what extent traffic originated by Respondent's landline customers to such Telecommunications carrier may be dialed on a non-toll, 7 or 10 digit basis.

I-27. Please describe how Respondent determines whether a call originated by one of Respondent's landline customers to a CMRS carrier's NPA-NXX should be sent as either a) a non-toll 7 digit dialed call, b) a non-toll 10 digit dialed call, or c) a 1+ toll call.

I-28. Please identify whether or not Respondent provides calling from its landlines to CMRS NPA-NXXs rated in rate centers that are within Respondent's local calling area on a non-toll basis. Please describe how such calls are routed.

I-29. Please identify whether or not Respondent provides calling from its landlines to CMRS NPA-NXXs rated in rate centers that are Metropolitan Area

Calling ("MAC") plan or Extended Area Service ("EAS") rate centers on a non-toll basis. Please describe how such calls are routed.

## **V. SWITCH INFORMATION**

I-30. Identify all switches owned by you, the wire center location and CLLI codes in which each switch is located, the number of switched residential, business, and public lines served by each switch, and the number of non-switched (e.g., special access, dedicated circuits, etc.) served out of each wire center belonging to you

I-31. Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth, and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office.

I-32. For each ICO tandem or end office switch you own, describe in detail how traffic from your customers is delivered to the customers' IXC(s), and describe all arrangements related to the cost of the facilities used to carry this traffic.

I-33. Identify all of your tandem or end office switches connected to a BellSouth tandem with two-way Feature Group C trunks.

I-34. Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers.

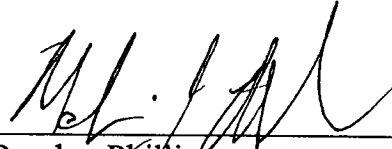
## **VI. MISCELLANEOUS**

I-35. Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-lata toll or IXC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers.

I-36. Does Respondent contend there is any FCC Rule or other authority that excludes the reciprocal compensation requirements of 47 U.S.C. § 251(b) (5) from applying to land-originated Telecommunications Traffic that is delivered to a CMRS carrier via an intra-lata toll or IXC? If so, please identify each FCC rule or other authority that provides such an exclusion.

I-37. Provide copies of your audited financial statements for 2000, 2001, 2002 and 2003.

I-38. Provide a copy of your most recent access rate cost study.



J. Barclay Phillips  
Melvin J. Malone  
Miller & Martin, PLLC  
1200 One Nashville Place  
150 4<sup>th</sup> Avenue North  
Nashville, Tennessee 37219-2433  
(615) 244-9270

Counsel for Cellco Partnership d/b/a  
Verizon Wireless

On Behalf of the CMRS Providers

DATED: March 19, 2004

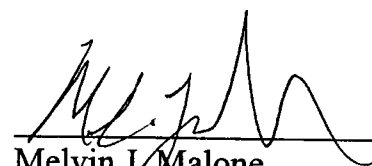
## CERTIFICATE OF SERVICE

I hereby certify that on March 19, 2004, a true and correct copy of the foregoing has been served on the parties of record, via the method indicated:

<input checked="" type="checkbox"/> Hand <input type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	William T. Ramsey Neal & Harwell 150 Fourth Avenue North, Suite 2000 Nashville, TN 37219-2498
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight <input checked="" type="checkbox"/> Electronically	Stephen G. Kraskin Kraskin, Lesse & Cosson, LLP 2120 L Street NW, Suite 520 Washington, D.C. 20037
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	Henry Walker Boulton, Cummings, Conners & Berry, PLC 414 Union Street, Suite 1600 PO Box 198062 Nashville, TN 37219
<input checked="" type="checkbox"/> Hand <input type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	J. Gray Sasser Miller & Martin LLP 1200 One Nashville Place 150 Fourth Avenue North Nashville, Tennessee 37219
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	Paul Walters, Jr. 15 East 1 <sup>st</sup> Street Edmond, OK 73034
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	Mark J. Ashby Cingular Wireless 5565 Glenridge Connector Suite 1700 Atlanta, GA 30342

<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	Suzanne Toller Davis Wright Tremaine LLP One Embarcadero Center, #600 San Francisco, CA 94111-3611
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	Beth K. Fujimoto AT&T Wireless Services, Inc. 7277 164 <sup>th</sup> Ave., NE Redmond, WA 90852
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	James B. Wright Sprint 14111 Capital Boulevard Wake Forest, NC 27587
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	Charles McKee Sprint PCS 6450 Sprint Parkway, MailStop 2A553 Overland Park, KS 66251
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	Elaine Critides Verizon Wireless 1300 I Street, N.W. Washington, D.C. 20005
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	Dan Menser Sr. Corporate Counsel T-Mobile USA, Inc. 12920 SE 38 <sup>th</sup> Street Bellevue, WA 98006
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	Marin Fettman Corporate Counsel, Regulatory Affairs T-Mobile USA, Inc. 12920 SE 38 <sup>th</sup> Street Bellevue, WA 98006
<input type="checkbox"/> Hand <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight	Leon M. Bloomfield Wilson & Bloomfield LLP 1901 Harrison St., Suite 1630 Oakland, CA 94612



A handwritten signature in black ink, appearing to read 'Melvin J. Malone', is written over a horizontal line.

Melvin J. Malone  
J. Barclay Phillips  
Miller & Martin, PLLC

3/26

BEFORE THE  
TENNESSEE REGULATORY AUTHORITY

IN RE:

Generic Docket Addressing Rural Universal Service	)	Docket No. 00-00523
	)	
Petition of Cellco Partnership d/b/a Verizon Wireless	)	Docket No. 03-00585
for Arbitration under the Telecommunications Act	)	

RESPONSE OF THE RURAL COALITION OF SMALL LECs  
AND COOPERATIVES TO THE FIRST SET OF INTERROGATORIES OF THE CMRS  
PROVIDERS

on behalf of

Ardmore Telephone Company, Inc.  
Ben Lomand Rural Telephone Cooperative, Inc.  
Bledsoe Telephone Cooperative  
CenturyTel of Adamsville, Inc.  
CenturyTel of Claiborne, Inc.  
CenturyTel of Ooltewah-Collegedale, Inc.  
Concord Telephone Exchange, Inc.  
Crockett Telephone Company, Inc.  
DeKalb Telephone Cooperative, Inc.  
Highland Telephone Cooperative, Inc.  
Humphreys County Telephone Company  
Loretto Telephone Company, Inc.  
Millington Telephone Company, Inc.  
North Central Telephone Cooperative, Inc.  
Peoples Telephone Company  
Tellico Telephone Company, Inc.  
Tennessee Telephone Company  
Twin Lakes Telephone Cooperative Corporation  
United Telephone Company  
West Tennessee Telephone Company, Inc.  
Yorkville Telephone Cooperative

"The Coalition of Small LECs and Cooperatives"

## **RESPONSES TO INTERROGATORIES**

The Rural Independent Coalition (hereafter referred to as the "Coalition" or the "Independents") respond to the CMRS Providers' First Set of Interrogatories as follows:

### **OBJECTIONS**

1. The Coalition objects to each and every interrogatory and request for production to the extent that it requests information or documents protected by the attorney-client privilege as such information and documents are not discoverable.

2. The Coalition objects to each and every interrogatory and request for production to the extent that it requests information or documents protected by the attorney work product doctrine as such information and documents are not discoverable.

3. The Coalition objects to each and every interrogatory and request for production to the extent that it requests information and documents that are not relevant to the issues before the Tennessee Regulatory Authority.

4. Discovery is ongoing and the Coalition reserves the right to supplement each interrogatory and request for production if additional information is discovered.

### **I. EXISTING ARRANGEMENTS**

#### **A. Written Agreements**

I-1. Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA, please identify the Docket No. and sufficient additional detail to permit a copy of such

agreement, including any and all amendments thereto, to be requested and obtained from the TRA

**Coalition Response I-1.** See Attachment A

I-2 For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists that has not been filed with the TRA, please provide a copy of such agreement, as well as all amendments thereto

**Coalition Response I-2:** Coalition members do not have agreements for the exchange of Telecommunications Traffic that are not filed with the TRA Traffic that originates or terminates on the network of a Coalition member may be eligible to be treated as "Telecommunications Traffic," as that term is used in 47 CFR § 51.701(b) of the Subpart H Reciprocal Compensation Rules of the Federal Communications Commission ("FCC") Any such traffic, however, is not treated as subject to these rules in the absence of a request for interconnection pursuant to Section 251(b)(5) of the Communications Act (47 USC § 251(b)(5)) For example, the CMRS Providers currently transmit traffic that originates and terminates within the MTA to Coalition members Although this traffic may be eligible to be treated as "Telecommunications Traffic," the CMRS Providers have elected to transmit this traffic pursuant to an indirect interconnection arrangement via BellSouth Consequently, the traffic is not currently subject to any agreement that addresses the treatment of "Telecommunications Traffic" under the FCC's Rules

**B. Unwritten Agreements**

I-3 Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have

terminated any Telecommunications Traffic either directly or indirectly during the past 12 months without the benefit of a written agreement

**Coalition Response I-3:** See Response I-2

I-4 For each Telecommunications carrier identified in response to Interrogatory I-3, please identify whether the traffic is being originated or terminated based upon agreed terms and, if so, please identify any agreed upon rate for the termination and/or transport of such traffic, traffic ratio(s) and (if the Telecommunications carrier is a CMRS carrier) interMTA factor(s)

**Coalition Response I-4:** See Response I-2

**C. Affiliates**

I-5 Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you or is an Affiliate to another person or entity to which you are also an Affiliate

**Coalition Response I-5:** See Attachment A

**D. Bill and Keep Agreements**

I-6 Provide the names of all Telecommunications carriers with which you currently exchange any traffic on a bill and keep basis

- a. Describe the traffic subject to such agreement.
- b. Describe how the traffic subject to bill and keep is routed and rated

**Coalition Response I-6:** The Coalition assumes that the reference to "bill and keep" is to that term as it is used in 47 USC § 252(d)(2)(B)(i). The Coalition Members do not have "bill and keep" arrangements

## **II. BASIS FOR TRANSPORT AND TERMINATION RATES**

I-7 For each transport rate, termination rate and interconnection facility rate that may be contained in an agreement identified in response to Interrogatories I-1 (written agreements filed with the TRA), I-2 (written but unfiled agreements) and/or I-3 (unwritten agreements), please describe how the rate, and each of its elements, is calculated

**Coalition Response I-7:** The rates set forth in all such agreements were established through voluntary negotiation between the parties.

I-8 For each transport rate, termination rate and interconnection facility rate described in response to Interrogatory I-6, please state whether you contend that the rate is based on the forward-looking economic cost for you to provide such transport, termination, and interconnection facility, and provide a copy of each and every cost study, including all supporting documentation relating to establishment of such rates

**Coalition Response I-8:** See Coalition Response I-7

I-9 What are the respective rates that each Respondent proposes for transport and termination of (a) Telecommunications Traffic exchanged on a direct basis with the CMRS Providers and (b) Telecommunications Traffic exchanged on an indirect basis with the CMRS Providers?

**Coalition Response I-9:** The Coalition Members have not proposed rates for the transport and termination of "Telecommunications Traffic." In accordance with the applicable FCC rules, the establishment of a rate requires the establishment of an "interconnection point between the two carriers" (47 CFR §51.701(c)). Neither in the collective negotiations that preceded the filing of the arbitration petitions, nor in the arbitration petitions has any CMRS Provider requested the establishment of an interconnection point on the network of any Coalition Member.

I-10 For each rate provided in response to Interrogatory I-8 (regarding rates proposed for the transportation and termination of Telecommunications Traffic exchanged with the CMRS Providers), please describe how the rate, and each of its elements, is calculated. Please include in your answer identification of each distinct network function that you contend is required to provide each termination arrangement.

**Coalition Response I-10.** See Coalition Response I-9

I-11 For each rate provided in response to Interrogatory I-8 (regarding rates proposed for the transportation and termination of Telecommunications Traffic exchanged with the CMRS Providers), please identify and provide copies of all cost models, cost inputs, and cost assumptions relating to the rate, projected traffic demand and growth assumptions, including all supporting documentation of any network functionality that you use to terminate a call originated by the CMRS Providers. Please include in your response functioning electronic copies of the cost models, populated with the inputs and assumptions used by Respondent, in a format that allows the user to change inputs and assumptions and recalculate results.

**Coalition Response I-11.** See Coalition Response I-9

I-12 Have any of the rates that you propose for transport and termination of Telecommunications Traffic exchanged with the CMRS Providers been approved by the FRA? If so, please identify the decision and provide a copy.

**Coalition Response I-12.** See Coalition Response I-9. In the course of the collective negotiations, the Coalition Members did offer rates subject to voluntary negotiation of the indirect interconnection issues that are not the subject of any statute or regulation. A compromise indirect interconnection rate of 3 cents per minute was approved by Order of the Hearing Officer issued May 5, 2003 in Docket No. 00-00523.

### III. FACILITIES AND TRANSIT COSTS

#### A. Combined Traffic Delivered Over Same Trunk Group

I-13 Please identify where (i.e. physical interconnection location(s)) and how (i.e. type of trunk group, and nature of traffic currently exchanged over each trunk group) Respondent's network is currently interconnected with the BellSouth network

**Coalition Response I-13.** Each company is generally connected to a BellSouth switch utilizing FGC type trunks as common trunks. All toll and carrier traffic, including that of other interexchange carriers, CLECs and CMRS providers traverses these trunks, unless a carrier has a direct trunk group to the carrier or BellSouth has established an end office to end office connection. The v & h coordinates of the points of interconnection are set forth in NECA Tariff 4. When traffic between a Coalition Member's exchange and a BellSouth exchange is deemed to be within the same calling scope by applicable regulation or tariff, BellSouth and the Independent establish an EAS trunk group. Between BellSouth and each Independent there generally exist operator trunk groups, alarm trunks and test trunk groups.

I-14 Do you contend that you need to install any additional facilities or augment any existing facilities in order to provide direct or indirect connection to the CMRS Providers pursuant to the interconnection agreement that is the subject of this proceeding? If so please describe in detail the additional and augmented facilities and state why they are necessary.

**Coalition Response I-14** Each Coalition Member cannot determine whether any additional facilities or augmentation of existing facilities is required to provide a direct interconnection to a CMRS provider until the CMRS provider requests a point of interconnection on the Independent's network and negotiates direct interconnection with specificity. No additional facilities are required to continue the existing indirect interconnection arrangement through



BellSouth under the existing terms and conditions applicable to the interconnection of BellSouth to each Independent. If these terms and conditions are changed, additional facilities may be required to ensure that each of the issues raised by the Coalition in response to the arbitrations is equitably addressed. In the absence of defined new terms and conditions, it is not possible to identify the additional facilities that will be required to address these issues.

I-15 Does BellSouth currently combine CMRS Provider traffic with other traffic types and deliver such combined traffic to you over the same trunk group(s)? If so, please identify each trunk group over which combined traffic is delivered to you by BellSouth, and each type of traffic that you contend BellSouth has combined for delivery over that trunk group.

**Coalition Response I-15** This Interrogatory should be directed to BellSouth. BellSouth has uniquely been permitted to maintain feature group C common trunk groups to the Independents. Traffic through these trunk groups does not provide an indicator of the originating carrier identification. Consequently, the Independents cannot identify the nature of the traffic terminating on their networks through these trunks.

I-16 For each type of traffic that BellSouth delivers to you, please state what call detail information BellSouth provides to you, if any, that identifies such traffic by traffic type, message quantity, call duration, or originating party.

**Coalition Response I-16.** Bell provides Carrier Access Billing Records in the standard EMI for all INX traffic in a FGD 1101 record format. For CMRS calls we receive non-standard records because the OCN field is used to identify the originating entity for CMRS companies that have a purported "meet point billing" arrangement with BellSouth. With respect to other CMRS traffic (that which the CMRS Providers and BellSouth call "non-meet-point billed"), no records are provided.

I-17 Do you currently bill inter-exchange carriers (IXCs) for either originating or terminating minutes of use? If so, please describe what call detail information is provided to you by BellSouth and/or the IXCs, if any, which you in turn use to bill the IXC(s)? Is the IXC traffic combined with other traffic?

**Coalition Response I-17** Originating and terminating access is billed to IXCs for all minutes of use. When an Independent records originating traffic, originating switch records are used based on the customer's presubscribed carrier. If an Independent subtends a BellSouth tandem, the Independent uses BellSouth terminating billing records to bill IXCs unless the IXC has deployed direct trunks to the Independent's end office. Standard industry EMI (Exchange Message Interface) records are transmitted to the Independent pursuant to agreement and in accordance with the guidelines set forth in the ATIS/OBI-EMI Industry Support Interface manual. Those companies that subtend a BellSouth tandem receive a record description for Carrier Access Usage (Category 11) Group 01 (North American Originated and Terminated) record type 01 denoting Message Telephone Service. This record is used to report Access Minutes of use for Message Telephone Service and subsequent billing of access by the Independent.

**B. Shared Facility Costs**

I-18 Does Respondent agree that it is obligated to share with the CMRS Providers the cost of the facilities used for direct interconnection between the CMRS Providers and Respondent? If so, please describe in detail your proposal for the sharing of the cost of the facilities? If not, explain the legal basis for your position.

**Coalition Response I-18.** This interrogatory addresses "direct" interconnection which was not the subject of the collective negotiations. The specific facts regarding transport facilities will vary dependent upon the specific circumstances of specific negotiations between two carriers.

establishing a direct interconnection arrangement. Within the framework of a negotiation, the terms applicable to the establishment of transport facilities would be subject to voluntary negotiation. In the absence of a specific direct interconnection request and the establishment of a proposed point of interconnection, it is not possible to address a proposal to share costs.

I-19. Does Respondent agree to share with BellSouth the cost of the facilities used for indirect interconnection between the CMRS Providers and Respondent? If so, please describe in detail your proposal for the sharing of the cost of the facilities?

**Coalition Response I-19.** The Independents have no obligation to incur any costs to transport traffic beyond their respective network borders.

I-20. If a CMRS Provider orders an interconnection facility that directly connects a Respondent switch to the CMRS Provider's switch located outside Respondent's geographic service area boundary, does Respondent contend that it is relieved of the responsibility to share the cost associated with the portion of the interconnection facility that extends beyond Respondent's exchange boundary? If so, please identify the authority that relieves Respondent of such cost sharing responsibility.

**Coalition Response I-20.** There is no law or regulation that requires any Independent to assume costs for the transport of traffic beyond its network borders.

#### **C Transit Costs**

I-21. Does Respondent contend that there is any FCC Rule or other authority which requires transit charges associated with the delivery of land- originated telecommunications traffic sent through a third-party tandem to be paid by the terminating CMRS provider? If so, please identify the rule(s) or other authority.

**Coalition Response I-21.** There are no rules, regulations or standards that address indirect interconnection of a CMRS provider to a rural incumbent LEC. No rules, regulations or standards exist that require a rural incumbent LEC to transmit traffic to a CMRS provider through an indirect interconnection arrangement established by the CMRS provider.

#### **IV. TRAFFIC RATIOS**

I-22. What is the approximate ratio of (a) Telecommunications Traffic originated by your landline customers and delivered to each of the CMRS Providers (land-to-mobile) to (b) Telecommunications Traffic that each of the CMRS Providers respectively originates to you (mobile-to-land)?

**Coalition Response I-22.** The Coalition assumes that the intent of this question is to refer to the traffic that is the subject of the arbitrations. The Coalition members cannot determine the ratios of traffic that is transmitted pursuant to the existing indirect arrangement through BellSouth (See Coalition Response I-15). BellSouth should be able to provide and verify this information directly.

I-23. With respect to any traffic ratio identified in Interrogatory I-20, please provide all supporting data, including but not limited to traffic studies, traffic reports, and any other documentation which supports that traffic ratio.

**Coalition Response I-23.** See Coalition Response I-22.

#### **V. ROUTING AND DIALING PARITY**

I-24. Is Respondent currently sending any Telecommunications Traffic originated by its landline customers to any of the CMRS Providers through trunk groups which connect Respondent to BellSouth tandem facilities? If so, please state the monthly volume of that Telecommunications traffic.

**Coalition Response I-24.** No. See Coalition Response I-2. The traffic that is the subject of the arbitrations (i.e. traffic not subject to an established interconnection agreement pursuant to 47 USC § 251(b)(5)) is not transmitted pursuant to a request to treat the traffic as "Telecommunications Traffic" under the FCC's Rules.

**I-25.** If Respondent is currently sending any Telecommunications Traffic originated by its landline customers to any of the CMRS Providers through trunk groups which connect Respondent to BellSouth's tandem facilities, to what extent is that traffic dialed by Respondent's landline customers on a non-toll, 7 or 10 digit basis?

**Coalition Response I-25.** See Coalition Responses I-2 and I-24. The Independents may have the right to request that traffic originated on their respective networks be treated as "Telecommunications Traffic" subject to 47 USC § 251(b)(5), but in the absence of a request, the traffic is not Section 251(b)(5) traffic.

**I-26.** Excluding the CMRS Providers, does Respondent send any Telecommunications Traffic originated by its landline customers to any other Telecommunications carrier, or terminate Telecommunications Traffic from any other Telecommunications carrier, through trunk groups which connect Respondent to BellSouth tandem facilities? If so, please identify each Telecommunications carrier, and state to what extent traffic originated by Respondent's landline customers to such Telecommunications carrier may be dialed on a non-toll, 7 or 10 digit basis.

**Coalition Response I-26.** The only traffic relevant to this interrogatory would be that traffic interconnected pursuant to the interconnection agreements identified in Attachment A. In

general, traffic transmitted under those agreements would not be "toll" traffic. "Toll" traffic is handled by an end user customer's chosen toll carrier.

I-27 Please describe how Respondent determines whether a call originated by one of Respondent's landline customers to a CMRS carrier's NPA-NXX should be sent as either a) a non-toll 7 digit dialed call, b) a non-toll 10 digit dialed call, or c) a 1+ toll call.

**Coalition Response I-27.** The determination of whether a call is 1+ is made on the basis of whether the call will be subjected to interexchange service toll charges. The use of 7 digit versus 10 digit dialing of non-toll calls is a matter of the dialing pattern required in a particular geographic area. The determination of how a LEC treats a CMRS call is dependent on many factors including the terms and conditions that would apply to the completion of the call, potential costs of transport, and any and all other costs associated with completion of the call. Throughout the collective negotiations, and evident in the arbitration petitions, the CMRS providers appear to ignore the fact that the Independents have the same right to termination on their networks under the Communications Act and applicable rules, as the CMRS providers have to terminate traffic on the networks of the Independents. No statute or rule requires either a CMRS Provider or an Independent to transmit traffic through an arrangement established under 47 USC § 251(b)(5). When a LEC transmits traffic to a CMRS provider under such an arrangement and incurs expenses to complete the call, the FCC has made clear the fact that the LEC may assess charges to its customers.

I-28 Please identify whether or not Respondent provides calling from its landlines to CMRS NPA-NXXs rated in rate centers that are within Respondent's local calling area on a non-toll basis. Please describe how such calls are routed.

**Coalition Response I-28** The local calling scopes of the Independents are defined geographical areas established and described in the applicable tariff of each Independent. Calls with a LEC "local calling area" are calls that originate and terminate within the geographic area. When calls within a "local calling area" involve more than a single carrier, the carriers generally establish extended area service ("EAS") trunks and calls originated and terminated within the geographically defined local calling area may be routed through the LAS trunk. The obvious and most fundamental aspect of CMRS is the fact that the service is mobile. Accordingly, and irrespective of any purported association with a "rate center," an NPA-NXX assigned to a CMRS provider is not associated with any state geographical area. As a matter of choice, a LEC may elect to treat calls to a particular CMRS provider's NPA-NXX as "non-toll." The choice may depend on consideration of numerous factors (see, e.g., Coalition Response I-27). As the CMRS providers are aware, the attempt of CMRS providers to require LECs to route and rate calls in a manner dictated by the CMRS providers is pending in FCC Docket 01-92.

I-29 Please identify whether or not Respondent provides calling from its landlines to CMRS NPA-NXXs rated in rate centers that are Metropolitan Area Calling ("MAC") plan or Extended Area Service ("EAS") rate centers on a non-toll basis. Please describe how such calls are routed.

**Coalition Response I-29.** An Independent may route such traffic through BellSouth common trunk groups or EAS trunks under circumstances where it may not be aware that the traffic is terminated on a CMRS network. For example, such circumstances would arise if the CMRS provider had type 1 interconnection with a LEC whereby it had obtained NPA-NXXs that are generally assigned to landline service customers in the MAC or EAS area.

## **VI SWITCH INFORMATION**

I-30 Identify all switches owned by you, the wire center location and CLLI codes in which each switch is located, the number of switched residential, business, and public lines served by each switch, and the number of non-switched (e.g., special access, dedicated circuits, etc.) served out of each wire center belonging to you.

**Coalition Response I-30.** See Attachment A. The Coalition objects to provision of information regarding the number and type of lines served by each switch as such information is irrelevant to the issues regarding the indirect interconnection addressed by the collective negotiations and the arbitration petitions.

I-31 Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth, and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office.

**Coalition Response I-31.** See Attachment A regarding the identification of switches. BellSouth should not serve as a tandem for traffic to an Independent that has its own tandem. The inquiry regarding how traffic through the BellSouth tandem is handled, and the cost of facilities from the BellSouth tandem to each Independent's network should be directed to BellSouth.

I-32. For each ICO tandem or end office switch you own, describe in detail how traffic from your customers is delivered to the customers' IXC(s), and describe all arrangements related to the cost of the facilities used to carry this traffic.

**Coalition Response I-32.** These arrangements and the costs of using these arrangements are defined in the publicly-filed and available intrastate and interstate access tariffs of each Independent. The CMRS providers may elect to order services pursuant to these tariffs.



I-33 Identify all of your tandem or end office switches connected to a BellSouth tandem with two-way Feature Group C trunks

**Coalition Response I-33.** The subbundling arrangements for access services offered by each Independent are set forth in NECA Tariff # 4

I-34 Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers

**Coalition Response I-34.** The switches are identified in Attachment A. The subbundling arrangements of each Independent are set forth in NECA Tariff # 4

## **VII. MISCELLANEOUS**

I-35. Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-lata toll or IXC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers

**Coalition Response I-35.** See Attachment A

I-36 Does Respondent contend there is any FCC Rule or other authority that excludes the reciprocal compensation requirements of 47 U.S.C. § 251(b) (5) from applying to land-originated Telecommunications Traffic that is delivered to a CMRS carrier via an intra-lata toll or IXC? If so, please identify each FCC rule or other authority that provides such an exclusion.

**Coalition Response I-36.** See Coalition Response I-2 When a LFC does not choose to send traffic to a CMRS provider pursuant to an agreement under 47 U.S.C. § 251(b) (5), the carrier of the traffic to the CMRS provider may be the originating

customer's intraLATA or interLATA toll provider. Under these circumstances, the LEC provides originating access service to the toll provider in accordance with 47 U.S.C. § 251(g), and the toll provider (not the LEC) delivers the call to the CMRS network. In this proceeding, 47 U.S.C. § 251(b) (5) is not applicable because the CMRS Providers have not elected to establish "interconnection point between the two carriers." (47 CFR §51.701(c)) (See Coalition Response I-9.)

I-37. Provide copies of your audited financial statements for 2000, 2001, 2002 and 2003.

**Coalition Response I-37.** The Coalition objects to this request as not seeking documents or information relevant to the issues before the Tennessee Regulatory Authority in the arbitration.

I-38. Provide a copy of your most recent access rate cost study.

**Coalition Response I-38.** The Coalition objects to this request. Any such studies, if they exist, are irrelevant to the issues in this arbitration.

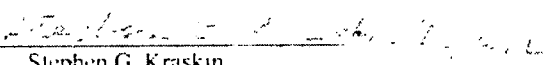
Respectfully submitted,

**NFAL & HARWELL, PLC**

By   
William I. Ramsey

2000 One Nashville Place  
150 Fourth Avenue North  
Nashville, Tennessee 37219  
(615) 244-1713 Telephone  
(615) 726-0573 Facsimile

**KRASKIN, LESSE & COSSON, LLC**

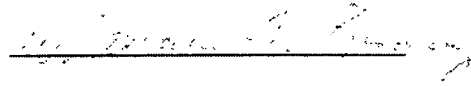
By   
Stephen G. Kraskin

Kraskin, Lesse & Cosson LLC  
2120 I St. N.W. Suite 520  
Washington, D.C. 20037

*Counsel for The Tennessee Rural Independent Coalition*

### CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing has been served on the parties of record indicated below via U.S. Mail and via electronic mail on this the 29<sup>th</sup> day of March, 2004.



Russ Minton, Esq.  
Citizens Communications  
3 High Ridge Park  
Stamford, Connecticut 06905

Henry Walker, Esq.  
Boult, Cummings, et al  
PO Box 198062  
Nashville TN 37219-8062

Jon E. Hastings, Esq.  
Boult, Cummings, et al  
PO Box 198062  
Nashville, TN 37219-8062

James Wright, Esq.  
Sprint  
14111 Capitol Blvd  
NCWKFR0313  
Wake Forest, North Carolina 27587

J. Gray Sasser  
J. Barclay Phillips, Esq.  
Dan Elrod, Esq.  
Miller & Martin  
1200 One Nashville Place  
150 Fourth Avenue North  
Nashville, TN 37219

James Lamoureux, Esq.  
AT&T  
1200 Peachtree St. N.E.  
Atlanta, Ga 30309

**Certificate of Service, Page 2**

Donald L. Scholes  
Branstetter Kilgore, et al  
227 Second Ave N  
Nashville, TN 37219

Timothy Phillips, Esq  
Office of the Tennessee Attorney General  
PO Box 20207  
Nashville, TN 37202

Guy M. Hicks, Esq  
Joelle Phillips, Esq  
BellSouth Telecommunications, Inc  
333 Commerce St Suite 2101  
Nashville, TN 37201-3300

Elaine Crittides, Esq  
John T. Scott, Esq  
Charon Phillips, Esq  
Verizon Wireless  
1300 I Street N W  
Suite 400 West  
Washington, D.C. 20005

Paul Walters, Jr., Esq  
15 East 1<sup>st</sup> Street  
Edmond, OK 73034

Suzanne Toller, Esq  
Davis Wright Fennane  
One Embarcadero Center #600  
San Francisco, Calif 94111-3611

Beth K. Fujimoto, Esq  
AT&T Wireless Services, Inc  
7277 164<sup>th</sup> Ave., N.E.  
Redmond, WA 98052

Monica M. Barone, Esq  
Sprint  
6450 Sprint Parkway  
Overland Park, KS 66251

**Certificate of Service, Page 3**

Mr. Tom Sams  
Cleartalk  
1600 Ute Ave  
Grand Junction, CO 81501

Dan Menser, Esq  
Marin Fettman, Esq  
c/o T Mobile USA, Inc.  
12920 St. 38<sup>th</sup> St  
Bellevue, WA 98006

Mark J. Ashby  
Cingular Wireless  
5565 Glenridge Connector  
Suite 1700  
Atlanta, GA 30342

## ATTACHMENT A

### To The Coalition's Responses' to the CMRS Providers' First Set of Interrogatories

#### **A. Ardmore Telephone Company, Inc.**

I-1. Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the IKA, please identify the Docket No. and sufficient additional detail to permit a copy of such agreement, including any and all amendments thereto, to be requested and obtained from the TRA.

**Response I-1: None.**

I-5 Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you, or is an Affiliate to another person or entity to which you are also an Affiliate.

**Response I-5: Not Applicable**

I-31 Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth, and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office.

**Response I-31:**

<b>Wire Center</b>	<b>CLLI</b>
<b>Ardmore, AL</b>	<b>ARMRALXADSO</b>
<b>Minor Hill, TN</b>	<b>MNHLTNXARS5</b>
<b>McBurg, TN</b>	<b>MCBGTNXARS5</b>

I-34 Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers.

**Response I-34: The Company does not operate a tandem.**

I-35. Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-lata toll or IXC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers.

**Response I-35** The Company does not have an affiliate that provides toll.



**B. Ben Lomand Rural Telephone Cooperative, Inc**

I-1 Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA please identify the Docket No. and sufficient additional detail to permit a copy of such agreement, including any and all amendments thereto, to be requested and obtained from the TRA

**Response I-1: None.**

I-5 Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you or is an Affiliate to another person or entity to which you are also an Affiliate

**Response I-5 Not Applicable**

I-31 Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth, and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office

**Response I-31:**

Exchange	Wire Center	CLLI
<u>Exchange</u>	<u>Wire Center</u>	<u>CLLI</u>
931-394	Beech Grove	BCGVTNXXA
467	Pelham	PIHMTNXXA
592	Tracy City	TRCYTNXXB
931-596	Hillsboro	HLBOTNXXA
635	Viola	VIOITNXXA
657	Doyle	DOYLTNXXA
668,815	McMinnville	MMRLTNXXA
686	Rock Island	RCISTNXXA
692	Beersheba	BRSHTNXXA
738,739	Sparta	SPRLTNXXA
761	Old Zion	OLZITNXXA
779	Laager	LAGRTNXXA
924	Monteagle	MTEGTNXXA

934	Dibrell	DBRLTNXA
935	Bondcroft	DRSTTNXA
939	Centertown	CNTWTNXA
946	Spencer	SPNCTNXA

I-34 Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers

**Response I-34: Yes, subtended by Ben Lomand Communications, Inc.**

I-35 Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-lata toll or LXC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers

**Response I-35: Yes, Ben Lomand Communications, Inc.**

**C. Bledsoe Telephone Cooperative**

I-1 Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA, please identify the Docket No. and sufficient additional detail to permit a copy of such agreement, including any and all amendments thereto, to be requested and obtained from the TRA.

**Response I-1: None.**

I-5 Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you, or is an Affiliate to another person or entity to which you are also an Affiliate.

**Response I-5: Not Applicable.**

I-31 Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth, and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office.

**Response I-31:**

<b>Switch</b>	<b>Wire Center</b>	<b>CLLI code</b>
DMS 10	Pikeville	PKVLTNXXA
DMS 10	Nine Mile	NNMLTNXXA
DMS 10	Fall Creek Falls	FCFLTXXA
DMS 10	College Station	CLSTTNXXA
DMS 10	Dunlap	DNLPTNXXA

I-34 Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers.

**Response I-34: No other company subtends the Company's tandem.**

I-35 Does Respondent have an Affiliate relationship with either another Telecommunications carrier or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-lata toll or INC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers

**Response I-35: Yes, Bledsoe Telephone Cooperative Long Distance.**

**D. CenturyTel of Adamsville, Inc.**

I-1 Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA, please identify the Docket No. and sufficient additional detail to permit a copy of such agreement, including any and all amendments thereto, to be requested and obtained from the TRA.

**Response I-1: Yes. Sprint Spectrum, TRA Docket No. 00-01032.**

I-5 Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you, or is an Affiliate to another person or entity to which you are also an Affiliate.

**Response I-5: None.**

I-31 Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth, and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office.

**Response I-31:**

ADVLTNXADS1 - Adamsville  
MDVLTNXADS0 - Milledgeville  
SHLLTNXADS0 - Shiloh

I-34 Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers.

**Response I-34: The Company does not operate a tandem.**

I-35 Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-lata toll or IXC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers.

**Response I-35: Yes, CenturyTel Long Distance**

**E      CenturyTel of Claiborne, Inc.**

I-1      Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA, please identify the Docket No. and sufficient additional detail to permit a copy of such agreement including any and all amendments thereto, to be requested and obtained from the TRA.

**Response I-1: Sprint Spectrum – TRA Docket No. 00-01032, Tennessee RSA No. 3 – TRA Docket No. 02-00328.**

I-5.      Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you, or is an Affiliate to another person or entity to which you are also an Affiliate.

**Response I-5: None.**

I-31      Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth, and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office.

**Response I-31:**

**NWTZTNXADS1 – New Tazewell  
SHCPFNXARS5 – Sharps Chapel**

I-34      Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers.

**Response I-34: The Company does not operate a tandem.**

I-35      Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-area toll or IXC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers.

**Response I-35: Yes, CenturyTel Long Distance.**

**F. CenturyTel of Ooltewah-Collegedale, Inc.**

I-1. Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA, please identify the Docket No. and sufficient additional detail to permit a copy of such agreement, including any and all amendments thereto, to be requested and obtained from the TRA.

**Response I-1: Sprint Spectrum – TRA Docket No. 00-01032.**

I-5. Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you, or is an Affiliate to another person or entity to which you are also an Affiliate.

**Response I-5: None.**

I-31. Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth, and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office.

**Response I-31:**

**APSN1NXARS5 – Apison  
CLDL1NXARS5 – Collegedale  
OOLTWTNXADS1 - Ooltewah**

I-34. Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers.

**Response I-34: The Company does not operate a tandem.**

I-35. Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-lata toll or IXC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers.

**Response I-35: Yes, CenturyTel Long Distance.**

**G     Concord Telephone Exchange, Inc.**

I-1     Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA, please identify the Docket No. and sufficient additional detail to permit a copy of such agreement, including any and all amendments thereto, to be requested and obtained from the TRA.

**Response I-1:**

<b>US LEC</b>	<b>TRA Docket No. 03-00415</b>
<b>XO Communications</b>	<b>TRA Docket No. 03-00568</b>
<b>New South</b>	<b>TRA Docket No. 04-00081</b>
<b>Knology</b>	<b>To Be Filed</b>
<b>US Cellular</b>	<b>(Copy sent separately)</b>

I-5     Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you, or is an Affiliate to another person or entity to which you are also an Affiliate.

**Response I-5: US Cellular.**

I-31     Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office.

**Response I-31:**

**CONCORD**

**CNCRTNXADS2**

I-34     Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers.

**Response I-34: The Company does not operate a tandem.**

I-35     Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-lata toll or INX services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers.

**Response I-35: Yes, TDS Long Distance Corporation.**



**H. Crockett Telephone Company, Inc**

I-1 Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA, please identify the Docket No. and sufficient additional detail to permit a copy of such agreement, including any and all amendments thereto, to be requested and obtained from the TRA.

**Response I-1: None.**

I-5 Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you, or is an Affiliate to another person or entity to which you are also an Affiliate.

**Response I-5: Not Applicable**

I-31 Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth, and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office.

**Response I-31:**

**Crockett ALAMINXADSI**

I-34 Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers.

**Response I-34: The Company does not operate a tandem.**

I-35 Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-lata toll or INC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers.

**Response I-35: Yes, CommuniGroup and EXCFL (VarTEC)**

**I. Dekalb Telephone Cooperative, Inc.**

I-1 Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA, please identify the Docket No. and sufficient additional detail to permit a copy of such agreement, including any and all amendments thereto, to be requested and obtained from the TRA.

**Response I-1: None.**

I-5 Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you, or is an Affiliate to another person or entity to which you are also an Affiliate.

**Response I-5: Not Applicable. The Company has an affiliate, Advantage Cellular Systems with which it has certain affiliated transactions and shares facilities under common control and ownership. These affiliated transactions are confidential and not subject to discovery because the company is a telephone cooperative.**

I-31 Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth, and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office.

**Response I-31:**

**Smithville SMVLTNXADS1**

I-34 Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers.

**Response I-34: The Company does not operate a tandem.**

I-35 Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-lata toll or IXC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers.

**Response I-35: Yes - DTC Long Distance**

**J. Highland Telephone Cooperative, Inc.**

I-1. Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA, please identify the Docket No. and sufficient additional detail to permit a copy of such agreement including any and all amendments thereto, to be requested and obtained from the TRA.

**Response I-1: Floqui, filed with the TRA**

I-5. Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you, or is an Affiliate to another person or entity to which you are also an Affiliate.

**Response I-5: Floqui by virtue of a minority interest.**

I-31. Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth, and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office.

**Response I-31.**

<u>EXCH</u>	<u>CLI</u>	<u>ST</u>	<u>EXC</u>
Deer Lodge	DRI DTNXARSO	TN	965
Huntsville	HNVLTNXARSO	TN	663/319
Oakdale	OKDLTNXARSO	TN	369
ONEIDA	ONEDTNXADSO	TN	569/286
PETROS	PTRSTNXSRSO	TN	324
ROBBINS	RBNSTNXARSO	TN	627
SUNBRIGHT	SNBRETNXARSO	TN	628
WARTBURG	WABGTNXARSO	TN	346
PINE KNOT	PNKNKYXARSO	KY	354
STEARNS	STRNKYXARSO	KY	376

I-34. Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers.

**Response I-34: The Company does not operate a tandem.**

I-35 Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-lata toll or IXC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers

**Response I-35: Yes – Highland Communications Corp.**

**K. Humphreys County Telephone Company**

I-1 Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA, please identify the Docket No. and sufficient additional detail to permit a copy of such agreement, including any and all amendments thereto, to be requested and obtained from the TRA.

**Response I-1:**

<b>US LEC</b>	<b>TRA Docket No. 03-00415</b>
<b>XO Communications</b>	<b>TRA Docket No. 03-00568</b>
<b>New South</b>	<b>TRA Docket No. 04-00081</b>
<b>Knology</b>	<b>To Be Filed</b>

I-5 Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you, or is an Affiliate to another person or entity to which you are also an Affiliate.

**Response I-5: Not Applicable.**

I-31. Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth, and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office.

**Response I-31.**

**NEW JOHNSONVILLE                      NWJHTNXARS5**

I-34 Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers.

**Response I-34: The Company does not operate a tandem.**

I-35 Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-lata toll or IXC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers.

**Response I-35. Yes, TDS Long Distance Corporation.**

**L. Loretto Telephone Company, Inc.**

I-1 Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA, please identify the Docket No. and sufficient additional detail to permit a copy of such agreement, including any and all amendments thereto, to be requested and obtained from the TRA

**Response I-1: None.**

I-5 Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you, or is an Affiliate to another person or entity to which you are also an Affiliate

**Response I-5: Not Applicable.**

I-31 Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth, and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office

**Response I-31:**

<u>EXCHANGE</u>	<u>LOCATION</u>	<u>CLI</u>
LORETO	136 S MAIN, LORETTO, TN	
	TOLL TANDEM CLASS 5 END OFFICE	LRTTNTXA94T LRTTNTXADSO
LEOMA	2596 HWY 43 S LEOMA, TN.	LEOMTNXARS5
ST JOSEPH	305 N. MAIN ST JOSEPH, TN	STJSTNXARS5
FIVE POINTS	858 RABBIT TRAIL FIVE POINTS, TN	FVPLTNXARS5
ETHERIDGE	24 MAIN ST. ETHERIDGE, TN	ETRGTNXADSO

I-34 Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers.

**Response I-34: See Response, I-31. No other company subtends Loretto**

I-35 Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-lata toll or IXC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers

**Response I-35: The Company does not have an affiliate toll provider.**

**VI Millington Telephone Company, Inc.**

I-1 Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA, please identify the Docket No. and sufficient additional detail to permit a copy of such agreement including any and all amendments thereto, to be requested and obtained from the TRA.

**Response I-1: None**

I-5 Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you, or is an Affiliate to another person or entity to which you are also an Affiliate.

**Response I-5: Not Applicable**

I-31 Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth, and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office.

**Response I-31:**

<u>SWC</u>	<u>Wire Center</u>	<u>CLLI</u>
Mason	Mason	MASNTNXARS5
Stanton	Stanton	SNTNTNXARS5
Rosemark	Rosemark	RSMRTNXARS5
Drummonds	Drummonds	DRMNTNXARS5
Munford	Munford	MNFDTNXARS5
Millington	Millington	MGTNTNXADS0
	Shelby	
Shelby Forest	Forest	SHFRTNXARS5

I-34 Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers.

**Response I-34: See Response, I-31.**



I-35 Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-lata toll or IXC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers

**Response I-35: Yes. Mtel Long Distance.**

**N. North Central Telephone Cooperative, Inc.**

I-1 Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA, please identify the Docket No. and sufficient additional detail to permit a copy of such agreement, including any and all amendments thereto, to be requested and obtained from the TRA.

**Response I-1: None.**

I-5 Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you, or is an Affiliate to another person or entity to which you are also an Affiliate.

**Response I-5: Not Applicable.**

I-31 Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth, and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office.

**Response I-31:**

Switch Type	Wire Center Location	CLLI Code	NPA	NXX
Remote	Westmoreland	WMLDTNXARS5	615	644
Remote	Green Grove	GNGVTNXARS5	615	655
Remote	Hillsdale	HLDLTNXARS5	615	633
Host	Lafayette	LFYTTNXADS1	615	666/688
	Pleasant			
Remote	Shade	PLSHTNXARS5	615	677
	Red Boiling			
Remote	Springs	RBSPTNXARS5	615	699
Remote	Defeated	DFTDTNXARS5	615	774
Remote	Bethpage	BTHPTNXARS5	615	841
Remote	Oak Grove	OKGVTNXADS0	615	888

I-34 Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers.

**Response I-34: See Response, I-31. No other carrier subtends the North Central tandem.**

I-35 Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-lata toll or IXC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers

**Response I-35:** North Central does not wholly own or have a controlling interest in a toll provider. It is an affiliate of Bluegrass Telecom by virtue of its minority ownership interest.

**O. Peoples Telephone Company**

I-1 Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA please identify the Docket No. and sufficient additional detail to permit a copy of such agreement, including any and all amendments thereto, to be requested and obtained from the TRA.

**Response I-1: None.**

I-5 Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you, or is an Affiliate to another person or entity to which you are also an Affiliate.

**Response I-5: Not Applicable**

I-31 Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth, and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office.

**Response I-31:**

**Peoples ERINTNXADS2**

I-34 Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers.

**Response I-34: The Company does not operate a tandem.**

I-35 Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate which offers intra-lata toll or IXC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers.

**Response I-35: CommuniGroup and EXCEL (VarTEC).**

**P. Tellico Telephone Company, Inc.**

I-1 Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA, please identify the Docket No. and sufficient additional detail to permit a copy of such agreement, including any and all amendments thereto, to be requested and obtained from the TRA.

**Response I-1:**

US LEC	TRA Docket No. 03-00415
XO Communications	TRA Docket No. 03-00568
New South	TRA Docket No. 04-00081
Knology	To Be Filed
US Cellular	(Copy sent separately)

I-5 Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you, or is an Affiliate to another person or entity to which you are also an Affiliate.

**Response I-5: US Cellular.**

I-31 Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office.

**Response I-31:**

TELLICO PLAINS	TLPLTNXADS1
BALL PLAY	BLPLTNXARS0
COKER CREEK	CKCKTNXARS0
ENGLEWOOD	ENWDTNXADS1
NIOTA	NIOTTNXARS0
RICEVILLE	RCVLTNXARS0
VONORE	VONRTNXADS1

I-34 Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers.

**Response I-34: The Company does not operate a tandem.**

I-35 Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-lata toll or LNC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers

**Response I-35: Yes, TDS Long Distance Corporation**

**Q. Tennessee Telephone Company**

**I-1** Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA, please identify the Docket No. and sufficient additional detail to permit a copy of such agreement, including any and all amendments thereto, to be requested and obtained from the TRA.

**Response I-1:**

**US LEC  
XO Communications  
New South  
Knology**

**TRA Docket No. 03-00415  
TRA Docket No. 03-00568  
TRA Docket No. 04-00081  
To Be Filed**

**I-5** Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you, or is an Affiliate to another person or entity to which you are also an Affiliate.

**Response I-5: Not applicable.**

**I-31** Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth, and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office.

**Response I-31:**

**LAVERGNE**

**LVRGTXADS2**

**MT. JULIE**

**MTJL1NXADS2**

**CORNEYSVILLE**

**COVLTNXARS0**

**WAYNESBORO**

**WYBOTNXADS1**

**CLIFTON**

**CLFNTNXARS0**

**COLLINWOOD**

**CNWDTNXADS1**

**DARDEN**

**DRDNTNAARL0**

LINDEN	LDNTTNXARS0
LOBELVILLE	LBV1TNXARS0
PARSONS	PRSS1NXADS1
BRUCETON	BCTNTNXARS0
DECATURVILLE	DCVLTNXARS0
SARDIS	SRDS1NXARS1
SCOTTSHILL	SCHLTNXARS0
HALLS CROSSROADS	HCRD1NXADS1

I-34 Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers

**Response I-34: The Company does not operate a tandem**

I-35 Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-lata toll or IXC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers

**Response I-35: Yes, TDS Long Distance Corporation**



**R. Twm Lakes Telephone Cooperative Corporation**

I-1. Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA please identify the Docket No. and sufficient additional detail to permit a copy of such agreement, including any and all amendments thereto, to be requested and obtained from the TRA

**Response I-1: None.**

I-5 Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you, or is an Affiliate to another person or entity to which you are also an Affiliate

**Response I-5. Not Applicable**

I-31 Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth, and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office

**Response I-31:**

GAINESBORO TENNESSEE CILLI CODE GNBOTNXADS0  
GAINESBORO TENNESSEE CILLI CODE GNBOTNXA99T  
BYRDSTOWN TENNESSEE CILLI CODE BYTWTNXARS0  
CELINA TENNESSEE CILLI CODE CELNTNXADS0  
CHESNUT MOUND TENNESSEE CILLI CODE CHMINTNXARS0  
CLARKRANGE TENNESSEE CILLI CODE CLRKTNXARS0  
CRAWFORD TENNESSEE CILLI CODE CRFRTNXARS0  
GRANVILLE TENNESSEE CILLI CODE GRVLNXARS0  
MOSS TENNESSEE CILLI CODE MOSSTNXADS0  
NORTH SPRING TENNESSEE CILLI CODE NRSPTNXARS0  
RICKMAN TENNESSEE CILLI CODE RKMNTNXARS0  
BAXTER TENNESSEE CILLI CODE BXTRTNXADS0  
COOKSVILLE SOUTH TENNESSEE CILLI CODE CKVLTNXBDS0  
LIVINGSTON TENNESSEE CILLI CODE LVTNTNXADS1  
LIVINGSTON TENNESSEE CILLI CODE LVTNTNXADS0  
JAMESTOWN TENNESSEE CILLI CODE JMTWTNXADS1  
HIGHLAND TENNESSEE CILLI CODE HGLDTNXARS0

I-34 Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers.

**Response I-34: None**

I-35 Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-lata toll or IXC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers

**Response I-35: Yes, Twin Lake Communication.**

**S. United Telephone Company**

I-1. Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA, please identify the Docket No. and sufficient additional detail to permit a copy of such agreement including any and all amendments thereto, to be requested and obtained from the TRA.

**Response I-1: None.**

I-5. Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you, or is an Affiliate to another person or entity to which you are also an Affiliate.

**Response I-5: Not Applicable**

I-31. Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth, and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office.

**Response I-31:**

<u>Location</u>	<u>CLL1 Code</u>	<u>NXX</u>
Chapel Hill	CPHLINXADS2	364, 276, 368
Nolensville	NLVLINXARS1	776, 941
Unionville	UNVLINXARS0	294, 437, 233, 695
Estill Springs	ESSPTNXARSO	649

I-34. Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers.

**Response I-34: The Company does not operate a tandem.**

1-35. Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-lata toll or IXC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers

**Response 1-35: Yes - UTC Long Distance.**

**T. West Tennessee Telephone Company, Inc.**

I-1 Excluding the CMRS Providers, please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA, please identify the Docket No. and sufficient additional detail to permit a copy of such agreement, including any and all amendments thereto, to be requested and obtained from the TRA.

**Response I-1: None.**

I-5 Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you, or is an Affiliate to another person or entity to which you are also an Affiliate.

**Response I-5: Not Applicable.**

I-31 Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth, and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office.

**Response I-31:**

**West Tennessee BRFRTNXADS2**

I-34 Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers.

**Response I-34: The Company does not operate a tandem.**

I-35 Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-lata toll or IXC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers.

**Response I-35: CommuniGroup and EXCEL (VarTEC)**

**U. Yorkville Telephone Cooperative**

I-1 Excluding the CMRS Providers please identify each Telecommunications carrier to whom you have originated any Telecommunications Traffic or from whom you have terminated any Telecommunications Traffic either directly or indirectly during the past 12 months pursuant to a written agreement. For each Telecommunications carrier identified in response to Interrogatory I-1 with whom a written agreement exists and was filed with the TRA, please identify the Docket No. and sufficient additional detail to permit a copy of such agreement, including any and all amendments thereto, to be requested and obtained from the TRA.

**Response I-1: None.**

I-5 Please identify each Telecommunications carrier identified in response to Interrogatory I-1, I-2 or I-3 that is either an Affiliate to you, or is an Affiliate to another person or entity to which you are also an Affiliate.

**Response I-5: Not Applicable.**

I-31 Identify each tandem and end office switch owned by you, describe how traffic originated by the CMRS Providers is received by each tandem or end office from BellSouth, and identify and describe all arrangements related to the cost of the facilities used to transit this traffic to each tandem or end office.

**Response I-31: The Company's landline exchange is served by a Mitel switch.**

I-34 Identify all of your tandem switches which are connected to end-offices of other Telecommunications carriers as well as the name(s) of those Telecommunications carriers.

**Response I-34: The company does not have a tandem switch.**

I-35 Does Respondent have an Affiliate relationship with either another Telecommunications carrier, or is Respondent an Affiliate to another entity that has an Affiliate, which offers intra-lata toll or LXC services to Respondent's landline customers? If so, please identify the Telecommunications carrier that offers such services to Respondent's landline customers.

**Response I-35: Yes, Yorkville Communications, Inc.**